

AGENDA
Inland Wetland Agency
Regular Meeting
Monday, May 7, 2012
Council Chambers, Audrey Beck Building

Call to Order: 7:00 PM

Review of Minutes of Previous Meetings and Action Thereon:

4.02.2012 - Regular Meeting
4.10.2012 - Field Trip
4.10.2012 - Special Meeting

Communications:

Conservation Commission: W1493 - Sabatelli
GM monthly business memorandum

Public Hearings:

Old Business:

W1493 - Sabatelli - Stearns Rd - shed in buffer

New Business:

W1496 - Town of Mansfield - Mansfield City R drainage
W1497 - Guarino - Spring Hill Rd - 21' above ground pool

REQUEST FOR EXEMPTION:

W1498 - Mathews - S. Eagleville Rd - replace farm sheds

Reports of Officers and Committees:

Other Communications and Bills:

Willimantic River Review
Connecticut Federation of Lakes
Habitat

Adjournment:

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DRAFT MINUTES
MANSFIELD INLAND WETLANDS AGENCY

Monday, April 2, 2012

Council Chambers, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, K. Holt, G. Lewis (7:12 p.m.), P. Plante, B. Pociask, K. Rawn, B. Ryan
Alternates present: B. Chandy, V. Ward, S. Westa
Staff present: Grant Meitzler (Wetlands Agent)

Chairman Goodwin called the meeting to order at 7:00 p.m., and appointed Ward to act in Lewis' absence until his arrival.

Minutes:

3-5-2012 - Regular Meeting- Plante MOVED, Ryan seconded, to approve the 3-5-12 minutes as written. MOTION PASSED UNANIMOUSLY.

3-13-2012 - Field Trip Meeting- Holt MOVED, Ward seconded, to approve the 3-13-12 field trip minutes as corrected. MOTION PASSED with Goodwin, Holt, and Ward in favor and all others disqualified.

Communications:

The 3-28-12 Wetlands Agent's Monthly Business report and the draft minutes of the 3-21-12 Conservation Commission were noted.

Old Business:

W1492 - Common Fields - 474 Storrs Rd - barn conversion & site work in buffer

Holt MOVED, Ryan seconded, to approve an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael and Mary Healey (file # W1492), for barn renovations, additions and appurtenant site improvements to an existing barn, located at 476 Storrs Road, as shown on a site plan dated January 17, 2012 and revised to March 5, 2012, for portions of work located within the 150 foot regulated areas, and as described in application submissions and presentations made to the Inlands Wetlands Agency at meetings held on February 2, 2012, March 5, 2012 and April 2, 2012.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Erosion and sedimentation controls shall be in place (as shown on the plans) prior to construction, maintained during construction, and removed when disturbed areas are completely stabilized.
2. The use of chemicals and fertilizers is to be based on soil testing to avoid over use that will change the chemistry of the bog.
3. The cattail removal operation is to be coordinated with the Inland Wetlands Agent.

This approval is valid until April 2, 2017, at which time a renewal of the permit is required if work has not been completed. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1494 - Moskowitz - landscaping work within 150'

Holt MOVED, Ryan seconded, to grant an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Robert Moskowitz (file # W1494), for landscaping work next to the Stonemill Bridge project on property owned by the applicant, located at 117 Stonemill Road, as shown on an undated sketch map by the owners and a February 28, 2012 sketch map by the Wetlands Agent, and as described in other application submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Erosion and sedimentation controls shall be in place (as shown on the plans) prior to construction, maintained during construction, and removed when disturbed areas are completely stabilized.
2. Tree removal shall be limited to small saplings. The large trees edging the proposed fill area shall be used as limits of the area to be filled.
3. Silt fence shall be placed along the east end of the fill area approximately 25 feet from the edge of the river.
4. The steep embankment along the north side of the work area shall be seeded for stabilization and to prevent run-off.
5. The use of chemicals and fertilizer is to be based on soil testing to avoid over use that will change the chemistry of the river.

This approval is valid until April 2, 2017, at which time a renewal of the permit is required if work has not been completed. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED with all in favor except Plante who was opposed.

W1495 - Sabatelli - Stearns Rd - addition in buffer

Holt MOVED, Ryan seconded, to grant an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Chris Niarhakos (file # W1495), for a one-car garage addition (12'x24') on property owned by Linda Sabatelli, located at 306 Stearns Road, as shown on a map dated March 1, 2012, and as described in other application submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Erosion and sedimentation controls shall be in place (as shown on the plans) prior to construction, maintained during construction, and removed when disturbed areas are completely stabilized.
2. All excavated material shall either be removed from the property or be graded into existing yard areas, away from wetlands. Suitable locations are at the sides or in the front of the house, but not at the back side that faces the wetland.

This approval is valid until April 2, 2017, at which time a renewal of the permit is required if work has not been completed. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

New Business:

W1493 - Sabatelli - Shed

Ryan MOVED, Holt seconded, to receive the application submitted by Linda Sabatelli. (File #W1493) under the Wetlands and Watercourses Regulations of the Town of Mansfield, for an 8'x12'shed in the buffer, on property located at 306 Stearns Road, as shown on a map dated March 28, 2012, and as described in application submissions, and to refer said application to staff and Conservation Committee, for review and comments. MOTION PASSED UNANIMOUSLY.

A field trip was set for 4/10/12.

Communications: Noted.

Adjournment: The Chairman declared the meeting adjourned at 7:13 p.m.

Respectfully submitted,

Katherine Holt, Secretary

DRAFT MINUTES
SPECIAL MEETING
MANSFIELD INLAND WETLANDS AGENCY
Tuesday, April 10, 2012
Council Chambers, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, K. Holt, G. Lewis, B. Pociask, K. Rawn, B. Ryan
Members absent: R. Hall, P. Plante
Alternates present: B. Chandy, V. Ward, S. Westa
Staff present: Grant Meitzler, Wetlands Agent
Linda M. Painter, Director of Planning and Development
Lon Hultgren, Director of Public Works
Others present: Lou Marquet, Principal of Leyland Alliance

Chairman Goodwin called the meeting to order at 5:29 p.m., and appointed Ward and Westa to act in Hall's and Plante's absence.

Old Business:

W1378 and W1468 - Storrs Center Alliance LLC - Modification to Approval Condition #1

Linda Painter, Director of Planning and Development, summarized her 4/9/12 memo and explained the need to revise condition #1 of the 10/1/2007 and 1/19/2011 IWA motions. The proposed revision will ensure adequate time for all documents to be signed and will allow the tenants being displaced by the demolition of the buildings to relocate into Phase 1A.

Holt MOVED, Ryan seconded, to modify Condition Number #1 of the Inland Wetlands License approval for the Storrs Center project to read as follows:

No occupancy permits for uses other than existing businesses that are relocating to Phase IA buildings, as part of the Phase 1A relocation program, shall be issued until acceptance by the Town of deed documents for the open space dedication areas, together with surveying pins and open space tags placed every 50 to 100 feet along the open space boundaries. All other conditions of the license approval as modified on January 19, 2011 shall remain in effect. MOTION PASSED UNANIMOUSLY.

Adjournment: The Chairman declared the meeting adjourned at 5:40 p.m.

Respectfully submitted,

Katherine Holt, Secretary

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DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
CONSERVATION COMMISSION
FIELD TRIP
Special Meeting
Tuesday, April 10, 2012

Members present: J. Goodwin (Chairman), M. Beal, K. Holt, G. Lewis, P. Plante,
B. Pociask, B. Ryan
Alternates present: B. Chandy, V. Ward, S. Westa
Staff present: G. Meitzler, Wetlands Agent/Assistant Town Engineer
L. Painter, Director of Planning and Development
C. Hirsch, Zoning Agent
J. Kaufman, Parks and Recreation Coordinator (Items 2 & 3)
Others present: S. Lehman, Conservation Commission
V. Wetherell, Open Space Preservation Committee

The field trip began at 3:30 p.m.

1. L. Sabatelli - 306 Stearns Road – Shed in buffer
File #W1493
Members observed current conditions, location of shed and site characteristics. No decisions were made.
2. Bovino Manor, Section 2, 149R Conantville Rd, - pre-subdivision application
PZC File #1308
Members observed current conditions and site characteristics. No decisions were made.
3. Beacon Estates, Section 2, Mansfield City Road - pre-subdivision application
PZC File #1214-3
Members were met on site by Tom Boyle, Frank Halle, John Ianni, Ed Pelletier and John Alexapolous. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 5:15 p.m.

Respectfully submitted,

K. Holt, Secretary

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Town of Mansfield
CONSERVATION COMMISSION
Meeting of 18 April 2012
Conference B, Audrey P. Beck Building
(draft) MINUTES

Members present: Joan Buck (Alt.), Robert Dahn, Neil Facchinetti, Quentin Kessel, Scott Lehmann, John Silander. *Members absent:* Aline Booth (Alt.), Peter Drzewiecki Frank Trainor. *Others present:* Linda Painter (Town Planner), Grant Meitzler (Wetlands Agent).

1. The meeting was called to order at 7:33p by Chair Quentin Kessel. Alternate Joan Buck was elevated to voting member for this meeting.

2. The draft minutes of the 21 March meeting were approved as written.

3. W1493 (Sabatelli, 306 Stearns Rd.) The Commission declined to comment on this *fait accompli*.

4. **PZC Subdivision Design Process Referrals.** Recently adopted subdivision regulations require that subdivision developers do a Site Analysis to provide information about wetlands, slopes, stone walls, existing vegetation, and other features of the property before submitting a proposal and yield plan. The idea is to permit the PZC, the Commission, and other Town entities to make site-specific suggestions about development before the developer has spent a lot of money on a detailed subdivision plan.

Linda Painter reviewed site maps provided for two subdivisions: Beacon Hill Estates Section 2 (ca. 60 acres on Mansfield City Rd. adjacent to & northwest of the existing Beacon Hill Estates development) and Bovino Manor (ca. 23 acres between Puddin La. & Conantville Rd. west of Sawmill Brook). {Lehmann's e-mail comment to the Town Planner regarding the 04/10 Field Trip to these sites is attached.} In the course of discussion, the Commission agreed on the following comments & suggestions:

Beacon Hill

- a. The Commission is pleased that a "Scenic Conservation Easement" is suggested along Mansfield City Rd.
- b. However, "Potential Open Space" should not coincide with the undevelopable wetland. At the least, this wetland should be buffered with additional open space.
- c. The Commission suggests that the developer seriously consider clustering development in the front portion of the property, dedicating the wetland and the back portion as open space. This would eliminate a road or common-driveway crossing of the wetland and significantly enlarge the area's contiguous dedicated open space.
- d. To the extent possible, stone walls should be preserved. The Commission notes that there may be tension between preserving existing stone walls and clustering development in the front portion of the property.
- e. The Commission suggests buffering the short "existing trail" on the northwest edge of the existing Beacon Hill development with a conservation easement.

Bovino Manor

- a. It makes sense to protect Sawmill Brook in this reach by conservation areas on the steep slopes at the northeast edge of the properties.
- b. It would be desirable if open space dedications and easements on this property permitted

extending the Nipmuck Trail to Conantville Rd.

5. Proposed revisions to PVRA/PVCA. Ms. Painter explained that in the course of attempting (unsuccessfully) to reach a settlement in a suit brought against the Town's Pleasant Valley zoning regulations, the PZC reconsidered these regulations and decided to propose some changes. The major ones are: (1) setbacks along Pleasant Valley Rd. are reduced from 500 ft to 200 ft, (2) the percentage of prime agricultural land that the PZC may require be preserved is reduced from 50% to 40%, and (3) language regarding residential developments is revised so that preserving agricultural land satisfies requirements for open space and recreational facilities. A public hearing on the proposed changes is scheduled for 07 May at 7:30p.

6. The Environmental Impact Evaluation (EIE) of the options in the Water Source Study for the Four Corners Area is due this month. **Ponde Place** developers may put off doing anything until the Town resolves its water supply issues—in hopes of tapping into new sources.

7. Adjourned at 8:58p.

Scott Lehmann, Secretary, 20 April 2012.

Attachment: Lehmann's 04/12 e-mail to Ms. Painter regarding Site Analysis Field Trips

Hi, Linda,

It's a very good idea for the PZC to give developers some direction about open space dedications, clustering, driveway cuts, etc., before they spend a lot of money developing a yield plan. It's also a good idea for the PZC's comments to be informed by a visit to the property—in addition to seeing a map that includes relevant information about forest cover, wetlands, stone walls, large trees, etc.

However, I don't think that this past Tuesday's field trip was particularly worthwhile in this regard. The schedule did not permit the kind of thorough on-the-ground survey that should have been undertaken.

At the site off Meadowbrook Rd, we did not walk the property at all; what was learned by standing by the parked cars and looking at the excellent map supplied by the developer could have been learned more comfortably back in the Town Hall. The experience at Beacon Hill was slightly better, but again lack of time—and, I regret to say, lack of interest on the part of some PZC members—precluded anything resembling a thorough survey (we did not, for example, see anything of the large wetland that bisects the property).

I would suggest that in the future a realistic amount of time be allowed for this sort of site visit—enough to permit those who are interested to walk over the property and to get a grasp of its important features.

I also think it would be a good idea to identify individuals on the PZC, CC, & OSPC who are willing to do such a survey and to schedule the site visit around their availability, with others participating as they have time and interest.

Scott

Memorandum:

May 2, 2012

To: Inland Wetland Agency
From: Grant Meitzler, Inland Wetland Agent
Re: Monthly Business

W1419 - Chernushek - hearing on Order

- 3.10.09: The hearing on the Order remains open and should continue until the permit application under consideration is acted upon.
(The Order was dropped on approval of the application required in the Order.)
- 4.30.09: Former rye grass seeding is beginning to show green. I spoke with Mr. Chernushek this afternoon who indicated health problems that delayed his starting but indicated he will be working this weekend. I will update on this Monday evening.
- 5.26.09: A light cover of grass growth has come in. Mr. Chernushek indicates health problems and two related deaths have delayed his start of work since the permit approval was granted. It appears that some light work has started. He has further indicated that he will start a vacation on June 22, 2009 to finish the work.
- 6.13.09: Work is underway.
- 6.21.09: Bulldozer work has been completed - finish work remains. The additional silt fencing has been placed along the northerly wetlands crossing, and the additional pipe under the southerly crossing has been installed. Remaining work includes finish grading along edges, spreading stockpiled topsoil, and establishing grass growth.
- 7.01.09: I spoke with Mr. Chernushek who indicated he expects work to be completed by September 1, 2009. (Site photo attached).
- 9.03.09: Mr. Chernushek has been working on levelling and grading. The formerly seeded areas have become fairly thick growth surrounding the central wet areas. He has further indicated that with the combination of weather and the slower moving of earth with the payloader compared to the earlier rented bulldozer has led him to contact contractors for earth moving estimates which have not yet been received. The site is not yet finished but has remained quite stable.
- 9.12.09: I met with Mr. Chernushek today and discussed again what his plans are for stabilizing this work site.
- 10.01.09: Mr. Chernushek indicated he has not heard back from the contractor he had spoken with about removing material, and is in progress of contacting others. In discussion is removal of material from the site either within the 100 cubic yard limit or obtaining a permit for such removal.
- 10.28.09: Mr. Chernushek has indicated he has made arrangements with DeSiato Sand & Gravel to remove 750 cubic yards of material. Staff is in the process of clarifying permit requirements.

W1445 - Chernushek - application for gravel removal from site

- 11.30.09: Packet of information representing submissions by Mr. Chernushek, Mr. DeSiato and myself is in this agenda packet as Mr. Chernushek's request for modification.
- 12.29.09: Preparation of required information for PZC special permit application is in progress. Tabling any action until the February 1, 2010 meeting is recommended.
- 1.12.10: 65 day extension of time received.
- 2.18.10: No new information has been received.

- 2.25.10: This application has been **withdrawn**.
- 6.30.10: As viewed from the adjacent property, the upstream and downstream areas have grown to a decent protected surface. I did not see indication of sediment movement.
- 10.26.10: A sale of the East portion of the Chernushek property has been in negotiation.
- 12.27.10: The property exchange has been completed. The owner is now the neighboring property owner Bernie Brodin. He has indicated his intention to stabilize the area as weather permits.
- 4.25.11: Mr. Brodin indicates he is starting with grading and spreading hay and seed to stabilize disturbed areas.

Mansfield Auto Parts - Route 32

- 5.17.11: Inspection - no vehicles are within 25' of wetlands. Mr. Bednarczyk's estimate is that approximately 100 tires per month are being removed from the site.
- 6.14.11: Inspection - no vehicles are within 25' of wetlands.
- 7.12.11: Inspection - no vehicles are within 25' of wetlands.
- 8.04.11: Inspection - no vehicles are within 25' of wetlands.
- 9.13.11: Inspection - no vehicles are within 25' of wetlands.
- 11.03.11: Inspection - two vehicles are within 25' of wetlands. Vehicle doors and a camper or trailer are stored in the extreme rear lot not approved by zoning for use.
- 11.30.11: Inspection - two vehicles are within 25' of wetlands. Employees indicate cars will be moved soon. Payloader repair parts are to be there later today and cars will be moved as soon as parts are installed. Owner indicated in earlier discussion that the doors would be moved. Rate of tire removal has increased with a company in Massachusetts removing them by truckload. At time of this discussion (about a week ago) nearly 2,000 tires had been removed from the lot by the railroad tracks.
- 12.07.11: Inspection - two vehicles are within 25' of wetlands. Payloader repairs not yet completed. Weekly inspections will be made until the two vehicles and doors are moved.
- 12.27.11: Inspection - 1 vehicle within 25' of wetlands - owner indicates it will be moved this week. Payloader is back in operation. Owner indicates doors in "rear" lot will be moved this week. Large number of tires have been moved from lot by RR tracks - approximately 65% of tires have been removed.
- 2.01.12: Inspection - employee indicates payloader repair has had problems and the one car within 25' has not yet been moved. Tire removal has continued and about 90 percent of the tires have been removed. A truck from the company removing the tires arrived while I was at the site.
- 3.01.12: Inspection - owner indicates payloader is repaired. Owner indicates the one car within 25' will be moved. Tire removal is nearing completion.
- 3.28.12: On the way to see the car moved I found the payloader blocking the entrance drive to the rear area, with the mechanic under the hood. He indicated the new engine had stopped running on the way to move the remaining car. Inspection today showed the payloader in the same location.
- 5.01.12: Payloader remains in the same location with a bad motor.

WETLANDS DRAFT APPROVAL MOTION FOR:

Holt MOVED. _____ seconded, to grant an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Linda Sabatelli & Paul Brody (file #W 1493) for an 8 foot by 12 foot shed in the Buffer _____, on property owned by Linda Sabatelli, located at 306 Stearns Road, as shown on plans dated March 28, 2012, ~~revised through~~ _____, and as described in other application submissions, ~~and attached at~~ Public Hearing(s) on _____.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. ~~All erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;~~
2. ~~Maps shall not be signed until all DEEP permit requirements have been addressed.~~

1.) As the shed is in place, there is more potential for disturbance if the shed is moved or removed, than from leaving it in its present location.

2.) If the applicants wish to move the shed at a later date, they must submit another application.

Sabatelli & Brody

This approval is valid for five years (until _____), at which time a renewal of the permit is required if work has not been completed. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment.

Memorandum

May 3, 2012

To: Inland Wetland Agency
From: Grant Meitzler, Inland Wetland Agent
Re: W1493 - Sabatelli - Shed in buffer

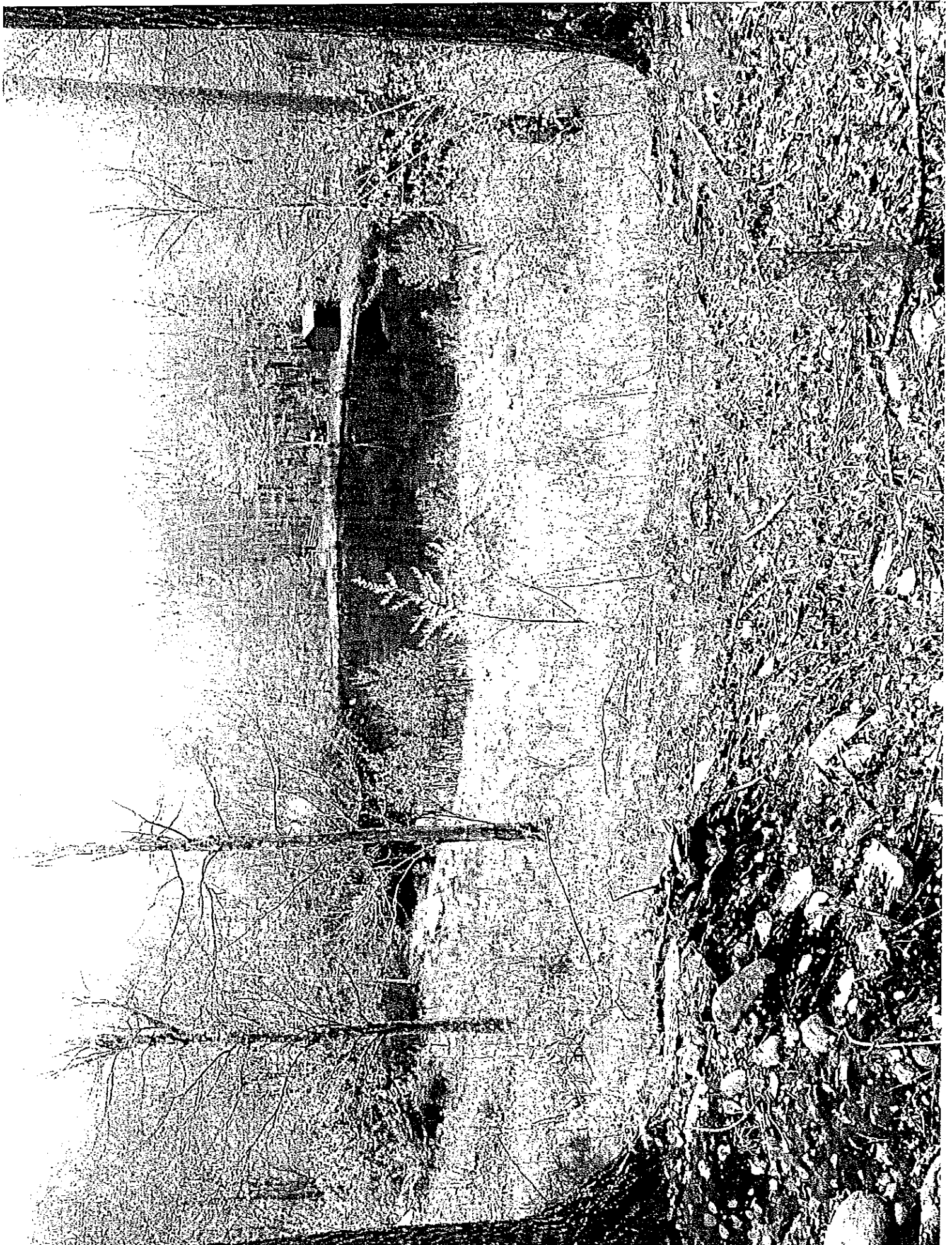
plan reference: dated 3.28.2012

This application is for an 8' by 12' shed placed within the 150' regulated area. The shed has been placed on a layer of stone, and is one of the prefabricated type where the shed is fully constructed when it arrives.

The wetlands here consist of a manmade pond with a low earth dam, and downstream (west) of the dam there is a large wooded wetland that connects with the Cider Mill Brook and ultimately the Willimantic River. A photograph is attached which was taken from Candide Lane looking across the pond to the shed.

A letter was received from one of the abutters expressing concern for preserving the view of the pond.

I see more potential for disturbance from removing the shed than from leaving it as placed.



Jessie L. Shea

From: Wang, Bing [bing@engr.uconn.edu]
Sent: Monday, April 02, 2012 11:21 AM
To: PlanZoneDept
Cc: 'Wei Wei'
Subject: concern regarding plan of placing a shed

Hello,

Our neighbor, Mrs. Linda Sabatell (306 Sterns Rd.), sent us a letter informing us that they plan to place a shed on their property, close to the pond. Since a large majority of the pond is on our property, we would like to request that the shed be placed properly that it does not affect the view of the pond.

Thanks,
Wei's family
11 Candide Ln.
Storrs Mansfield, CT

4/2/2012

Memorandum:

May 2, 2012

To: Inland Wetland Agency
From: Grant Meitzler, Inland Wetland Agent
Re: New Business for May 7, 2012 meeting

W1496 - Town of Mansfield - Mansfield City Rd - drainage improvements

	yes	no
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fee paid	n.a.	
certified receipts	have been sent out	
map dated	4.20.2012	

This application is for extension of three street drains that presently end on the west side of Mansfield City Rd shortly south of Crane Hill Rd. These outlets load the outlet areas with water making much of the area of the adjacent fields unusable.

Receipt and referral to the Conservation Commission is appropriate.

W1497 - Guarino - Spring Hill Rd - above ground pool in buffer

	yes	no
	-----	-----
fee paid	x	
certified receipts	to come in	
map dated	5.02.2012	

This application is for a 21' diameter above ground pool in the back yard of the house at 216 Spring Hill Rd.

Receipt and referral to the Conservation Commission is appropriate.

REQUEST FOR EXEMPTION:

W1498 - Mathews - South Eagleville Rd - farming exempt.replacing sheds
12' x 40'

A letter from the state Department of Agriculture indicating the nature of the Mathews farming has been supplied.
I have no question that this shed replacement qualifies for the as-of-right exemption for farming operations provided in Section 4.1 A. of the wetlands regulations.

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APPLICATION FOR PERMIT
MANSFIELD INLAND WETLANDS AGENCY
4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
TEL: 860-429-3334 OR 429-3330
FAX: 860-429-6863

FOR OFFICE USE ONLY

File # W1496
Fee Paid n.a.
Date Received 5-07-12

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.

Please print or type or use similar format for computer; attach additional pages as necessary.

Part A - Applicant

Name Town of Mansfield, Dept of Public Works

Mailing Address 4 S. Eagleville Road
Storrs-Mansfield, CT Zip 06268

Telephone-Home _____ Telephone-Business (860) 429-3352

Title and Brief Description of Project

Rebuild 3 catch basins on Mansfield City Rd & Pipe out falls west across
Location of Project JUST North of 271 Mansfield City Rd the agricultural field.

Intended Start Date JUNE 5, 2012

Part B - Property Owner (if applicant is the owner, just write "same")

Name (1) Town of Mansfield; (2) Stearns Brothers LLC

Mailing Address (1) Town Hall (2) 153 Stearns Rd, Storrs, CT 06268

Zip _____

Telephone-Home _____ Telephone-Business (860) 428-5151

Owner's written consent to the filing of this application, if owner is not the applicant:

Signature (1) J. W. St. (2) David St. date 4/24/12

Applicant's interest in the land: (if other than owner) J. W. St.

Part C - Project Description (attach extra pages, if necessary)

- 1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application – page 6.)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

Rebuild existing CB's in Mansfield City Road
Pipe outfalls across the field to eliminate erosion in active field
No work in wetlands
Plunge pools (at end of pipes) will be within 150' of streamcourse.

- 2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

None in wetland areas
3 plunge pools @ 500 sq ft each in buffer areas (1500 sq ft)

- 3) Describe the type of materials you are using for the project: Precast CB's and HDPE pipe

- a) include type of material used as fill or to be excavated natural materials in fields
b) include volume of material to be filled or excavated ± 300 cy of trenching (replaced)

- 4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

hay bales at plunge pool outfalls

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

gently sloping hay/corn field

Part E - Alternatives

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

Re-piping the storm runoff down Mansfield City Rd to eliminate
three S discharges was considered, but it would be too
expensive and would concentrate more flow causing more
erosion & outfall destabilization

Part F - Map/Site Plan (all applications)

1) Attach to the application a map or site plan showing existing conditions and the proposed project in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See guidelines at end of application – page 6.)

2) Applicant's map date and date of last revision 4/25/12

3) Zone Classification RAR 90

4) Is your property in a flood zone? ☐ Yes ☒ No ☐ Don't Know

Part G - Major Applications Requiring Full Review and a Public Hearing

See Section 6 of the Mansfield Regulations for additional requirements.

Part H - Notice to Abutting Property Owners

1) List the names and addresses of abutting property owners

Name Address

see attached list

2) **Written Notice to Abutters.** You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress, and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. Postal receipts of your notice to abutters must accompany your application. (This is not needed for exemptions).

Part I - Additional Notices, if necessary

1) Notice to Windham Water Works is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

2) Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.

- 3) The Statewide Reporting Form (attached) shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes ___ No ☒ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes ___ No ☒ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes ___ No ☒ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. *(Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)*

Part L - Filing Fee

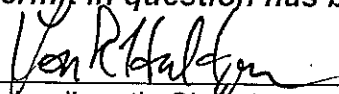
Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)

___ \$1,000. ___ \$750. ___ \$500. ___ \$250. ___ \$125. ___ \$100. ___ \$50. ___ \$25.

___ \$60 State DEP Fee

Note: The Agency may require you to provide additional information about the regulated area which is the subject of the application, or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by members and agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agency.


Applicant's Signature

1/23/12
Date

Town of Mansfield, CT - Proposed road drainage mods, Mansf City Road



- MapGrid
- towns
- Dimensions
- Address
- ParcelID
- Area
- Streets
- Parcels
- powerlines
- water
- wetlands
- Town
- roads
- highways



Location: 271 MANSFIELD CITY RD ID: 32.88.11

MainStreetGIS, LLC - www.mainstreetgis.com / info@mainstreetgis.com

Disclaimer: This map is for assessment purposes only. It is not valid for use as a survey or for conveyance

SORAN DEARUS PROPOSED MODS - 271 Mansfield City Rd (15th)
 Town of Mansfield
 10th 4/25/12

MainStreetGIS
www.mainstreetgis.com

1 in = 199.59 ft
 Printed:
 4/20/2012



TOWN OF MANSFIELD
DEPARTMENT OF PUBLIC WORKS

Lon R. Hultgren, P.E., Director

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CONNECTICUT 06268-2599
(860) 429-3331 TELEPHONE
(860) 429-6863 FACSIMILE

April 30, 2012

Property Owners in Mansfield at 271, 339, 310, 304, 290, 282, & 208 Mansfield City Road and 153 Stearns Road:

RE: Wetlands Application for Storm Water Discharge Modification on Mansfield City Rd.

Gentlemen/Ladies:

The town has filed a wetlands application to modify the storm drainage on Mansfield City Road that currently discharges to the field just to the west of Mansfield City Road north of 271 Mansfield City Road. These modifications would pipe the storm water underground across this field (to the west) so that the field can be used for crops.

The Inland Wetlands Agency will receive this application at its May 7th, 2012 meeting. A sketch of the proposal is included. If you have any questions, please contact the undersigned at (860)-429-3332 or the wetlands agent Grant Meitzler at (860)-429-3334.

Sincerely,

Lon Hultgren
Director of Public Works
HultgrenLR@MansfieldCT.org

cc: Grant Meitzler, IW Agent
File

Encl: 1

APPLICATION FOR PERMIT
MANSFIELD INLAND WETLANDS AGENCY
4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
TEL: 860-429-3334 OR 429-3330
FAX: 860-429-6863

FOR OFFICE USE ONLY

File # 1497
Fee Paid 9185-
Date Received 5-2-12

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.

Please print or type or use similar format for computer; attach additional pages as necessary.

Part A - Applicant

Name Jon Guarino

Mailing Address 216 Spring Hill Rd.
Storrs, CT Zip 06268

Telephone-Home 860-428-2873 Telephone-Business 860-226-4913

Title and Brief Description of Project

21' round 54" high above ground
Pool in rear of residence

Location of Project 216 Spring Hill Rd. Storrs, CT 06268

Intended Start Date 5/11/2012

Part B - Property Owner (if applicant is the owner, just write "same")

Name Same

Mailing Address _____

Zip _____

Telephone-Home _____ Telephone-Business _____

Owner's written consent to the filing of this application, if owner is not the applicant:

Signature [Signature] date 5/2/2012

Applicant's interest in the land: (if other than owner) _____

Part C - Project Description (attach extra pages, if necessary)

- 1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application – page 6.)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

Installation of a 21' round 54" high above ground pool.
The pool will be placed approximately 20' from back wall of garage, 95' from Rd 70' from right property line, 120' from left property line

- 2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

2a) none

2b) 415.4 square ft. of surface

- 3) Describe the type of materials you are using for the project: 10 yards of Stone dust to form the base of the pool

- a) include type of material used as fill or to be excavated Stone dust + sand.
b) include volume of material to be filled or excavated 10 yards.
No excavation will be done only grading & leveling

- 4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

Flat rolling to flat, wooded

Part E - Alternatives

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

No, other locations on the lot do not offer the amount of sunlight the proposed location does

Part F - Map/Site Plan (all applications)

1) Attach to the application a map or site plan showing **existing conditions** and the **proposed project** in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See guidelines at end of application – page 6.)

2) Applicant's map date and date of last revision _____

3) Zone Classification _____

4) Is your property in a flood zone? _____ Yes ☒ No _____ Don't Know

Part G - Major Applications Requiring Full Review and a Public Hearing

See Section 6 of the Mansfield Regulations for additional requirements.

Part H - Notice to Abutting Property Owners

Letters to be mailed on 5/5/2012

1) List the names and addresses of abutting property owners

Name

Address

Addendum to be provided Mailed 5/7/2012

2) **Written Notice to Abutters.** You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress, and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. **Postal receipts of your notice to abutters must accompany your application.** (This is not needed for exemptions).

Part I - Additional Notices, if necessary

1) Notice to Windham Water Works is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

2) Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.

- 3) The Statewide Reporting Form (attached) shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes ☒ No ☒ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes ☒ No ☒ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes ☒ No ☒ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. *(Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)*

Part L - Filing Fee

Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)

___ \$1,000. ___ \$750. ___ \$500. ___ \$250. ___ \$125. ___ \$100. ___ \$50. ___ \$25.

___ \$60 State DEP Fee

Note: The Agency may require you to provide additional information about the regulated area which is the subject of the application, or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by members and agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agency.

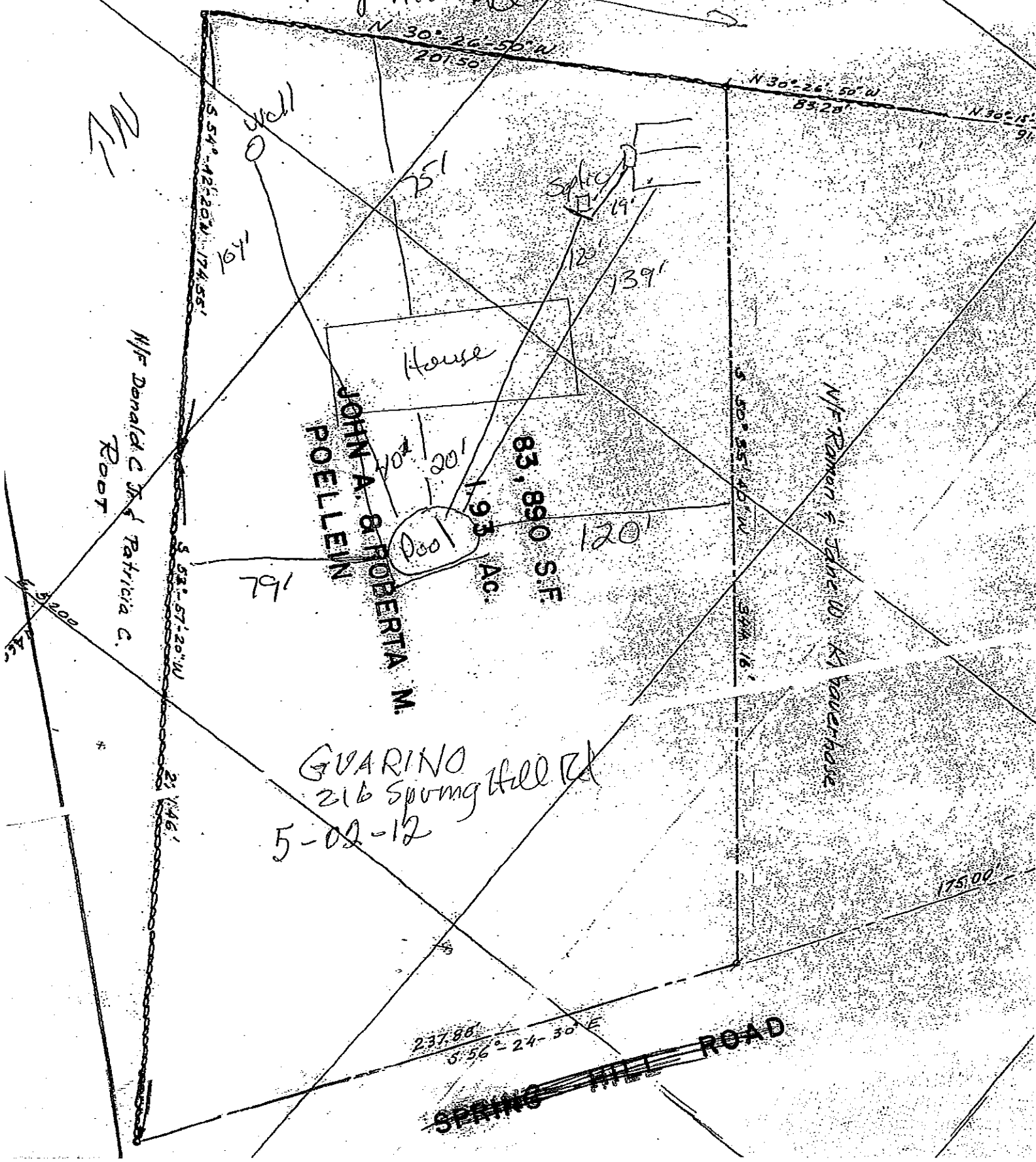
Applicant's Signature

Date

5/2/2012

Jon Guarino 216 Spring Hill Rd.
Pool
Not to Scale

Spring Hill Rd



Not to Scale

INSPECTION REPORT

Page 5

Was a more in-depth investigation of leaching system conducted? No Y/N

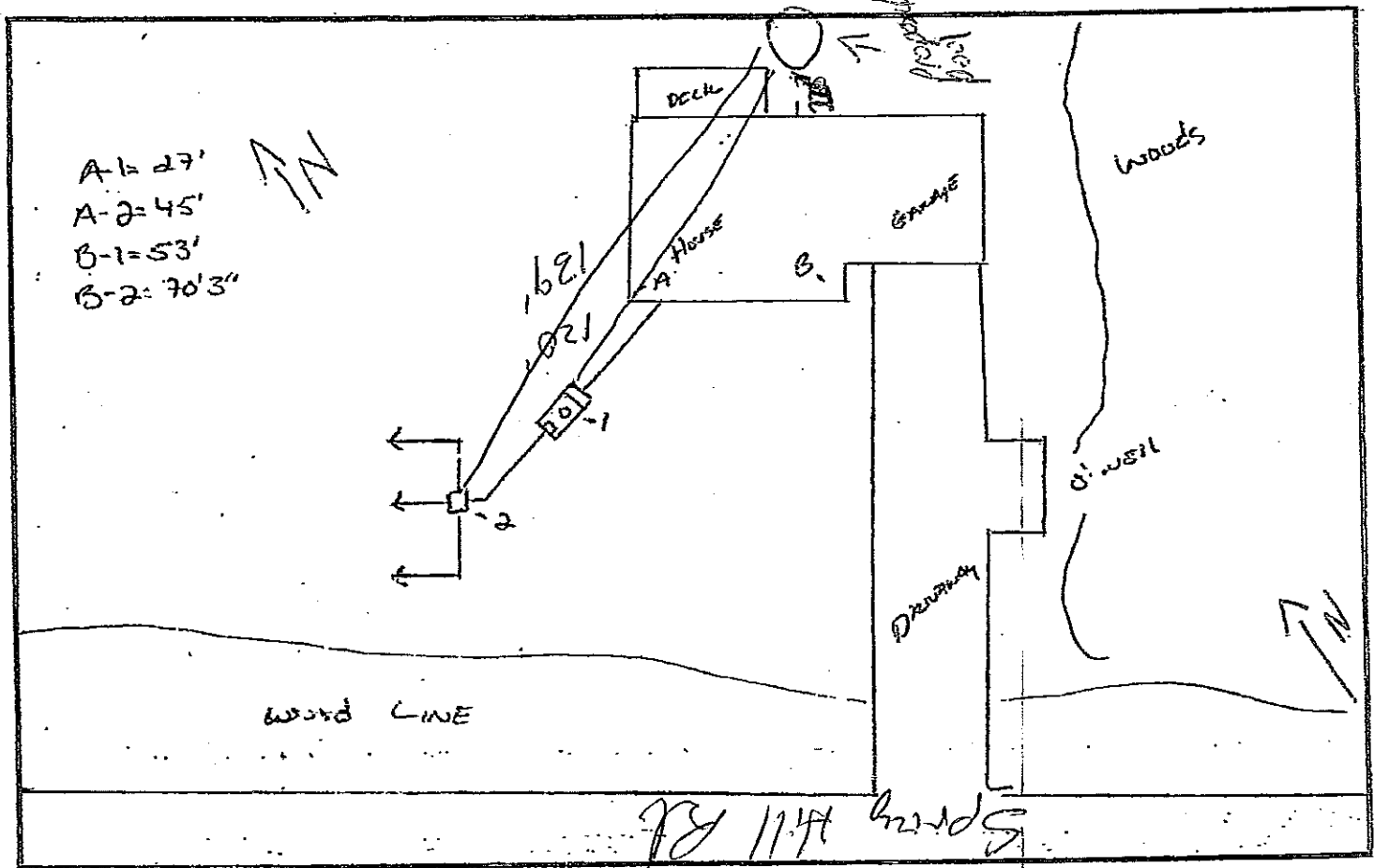
What were the results? _____

Is there an expansion/repair area available? x Likely _____ Not Likely _____ Unknown

Were there any conditions observed which might limit a repair? (wetlands, ledge outcrops, streams, etc.)

No

DIAGRAM OF TANK AND LEACHING SYSTEM LOCATION (ties from permanent structures):



Michael Norcross

Inspector's Name (printed or typed)

Profession: Installer

Inspector's Signature

LIC. No. 6084

This form is a result of a Connecticut Environmental Health Association Committee consisting of members of the State Dept. of Public Health, Local Sanitarians, Licensed Installers, CT Sewage Disposal Association, CT Association of Realtors and the Home Inspection Industry

Wetlands Draft Motion for:

Re: W1498 - Sharyn & Philip Mathews

_____ moves and _____ seconds, to approve the REQUEST FOR EXEMPTION for wetlands application file W1498 on property located at 409 South Eagleville Rd, for replacement of two farm sheds with a single 12'x 40' shed in the same foot print, the applicant having substantiated the existence of their farming operation.

This action is based on the as-of-right exemption for farming provided in Section 4.1 D. of the Mansfield Wetlands Regulations.



STATE OF CONNECTICUT
DEPARTMENT OF AGRICULTURE

Bureau of Agricultural Development & Resource Preservation

WWW.CTGROWN.GOV



April 30, 2012

Matthews Farm
Sharyn Matthews
409 Eagleville Road
Storrs, CT 06268

To Whom It May Concern:

Sharyn Matthews contacted our agency with a farm verification request. This request pertains to the commercial farming operation, Matthews Farm, at 409 South Eagleville Road, Storrs, CT 06268.

The plot of land consists of approximately 18 acres, which part of this is used for production of farm products. The main crop produced on this farm is blueberries but they also grow raspberries and rhubarb. Improvements to the production area include a netting system that covers the blueberries, reducing loss and increasing marketable berries.

Matthews Farm has been a participant at the Storrs Farmer's Market for the past seven years. All farmers that wish to sell a fruit or vegetable at a state certified farmers' market must go through a one-on-one training meeting/inspection with Connecticut Department of Agriculture (DoAG) staff before being permitted to participate in a market. During this meeting, DoAG staff review state statute pertaining to farmers markets, train the applicants for a supplemental nutrition program administered by DoAG, review required paperwork, and also perform a production area inspection. Part of the required paperwork is a crop plan. This is a report of what each farm is producing and the approximate size of the production area. Their most recent crop plan reports the actual acreage to be approximately 2 ½ acres of blueberries.

Storrs Farmers' Market is a producer only market. At markets such as this, they only permit farmers to sell what they grow and prohibit the buying and reselling of CT Grown farm products. I have been to Matthews Farm and have also seen them at the Storrs Farmers' Market during our routine inspections. Our agency does recognize them as a farm that is actively engaged in the sales of CT Grown farm products.

Should you have further questions, please feel free to contact me.
Sincerely,

Mark Zotti
Agriculture Inspection & Marketing Representative
Connecticut Department of Agriculture

Exemption Application

APPLICATION FOR PERMIT
MANSFIELD INLAND WETLANDS AGENCY
4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
TEL: 860-429-3334 OR 429-3330
FAX: 860-429-6863

FOR OFFICE USE ONLY	
File #	1498
Fee Paid	N/A - exempt
Date Received	4-22-12

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.

Please print or type or use similar format for computer; attach additional pages as necessary.

Part A - Applicant

Name Philip Mathews
Mailing Address PO Box 62, 409 So. Eagleville Rd
Storrs CT Zip 06268
Telephone-Home 860 487 1920 Telephone-Business 860 465 7474 ^{cell}

Title and Brief Description of Project

replace existing sheds with new on
the same footprint, as

Location of Project _____

Intended Start Date ASAP

Part B - Property Owner (if applicant is the owner, just write "same")

Name same

Mailing Address _____

Zip _____

Telephone-Home _____ Telephone-Business _____

Owner's written consent to the filing of this application, if owner is not the applicant:

Signature _____ date _____

Applicant's interest in the land: (if other than owner) _____

Part C - Project Description (attach extra pages, if necessary)

- 1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application – page 6.)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
b) in the area **adjacent** to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is **off** your property

replace existing shed with new prefabricated shed set on crushed stone pad. Same footprint and location as existing

- 2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
b) in the area **adjacent** to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is **off** your property

shed is to be 12' x 40', no foundation or footing - crushed stone base

- 3) Describe the type of materials you are using for the project:

- a) include **type** of material used as fill or to be excavated 0
b) include **volume** of material to be filled or excavated 0

- 4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

N/A

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

flat

Part E - Alternatives

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

none

Part F - Map/Site Plan (all applications)

1) Attach to the application a map or site plan showing **existing conditions** and the **proposed project** in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See guidelines at end of application – page 6.)

2) Applicant's map date and date of last revision _____

3) Zone Classification _____

4) Is your property in a flood zone? _____ Yes ☒ No _____ Don't Know

Part G - Major Applications Requiring Full Review and a Public Hearing

See Section 6 of the Mansfield Regulations for additional requirements.

Part H - Notice to Abutting Property Owners

1) List the names and addresses of abutting property owners

Name	Address

2) **Written Notice to Abutters.** You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress, and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. **Postal receipts of your notice to abutters must accompany your application.** (This is not needed for exemptions).

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1) Notice to Windham Water Works is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

2) Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.

- 3) The Statewide Reporting Form (attached) shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes ___ No ☒ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes ☒ No ___ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes ☒ No ___ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. *(Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)*

Part L - Filing Fee

Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)

___ \$1,000. ___ \$750. ___ \$500. ___ \$250. ☒ \$125. ___ \$100. ___ \$50. ___ \$25.



\$60 State DEP Fee

Not exemption request

Note: The Agency may require you to provide additional information about the regulated area which is the subject of the application, or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by members and agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agency.

Applicant's Signature

Date

Philip M. [Signature]

4/22/12

Town of Mansfield
Inland Wetlands Agency


May 1, 2012

Dear Sirs,

I am submitting an application for exemption from the inland wetlands regulations for the purpose of replacing 2 buildings on my property with 1 new building. This new building will be on the same location as the existing buildings and encompass the same footprint, I am not changing the present ground covered or location. No excavation or filling will be needed for the replacement. The new building will be a prefabricated 12x40 single story set on a crushed stone base, no footing or foundation will be used, the plans are available for review if requested. The building will be supplied by The Barnyard.

Because the property is an existing farm and the building will be used for farming, I believe that section 4.1.A applies.

My application to the EHHD has been approved and I look forward to your approval so I may proceed. Thank You.



Philip Mathews
409 South Eagleville Road
Storrs, CT 06268
860-465-7474

Grant Meitzler

From: Sharyn Mathews [editor50@gmail.com]
Sent: Tuesday, May 01, 2012 10:26 AM
To: Grant Meitzler
Cc: phil
Subject: farm status of 409 South Eagleville Road
Attachments: Matthews Farm LOS 05-2012.pdf

Hi Grant,

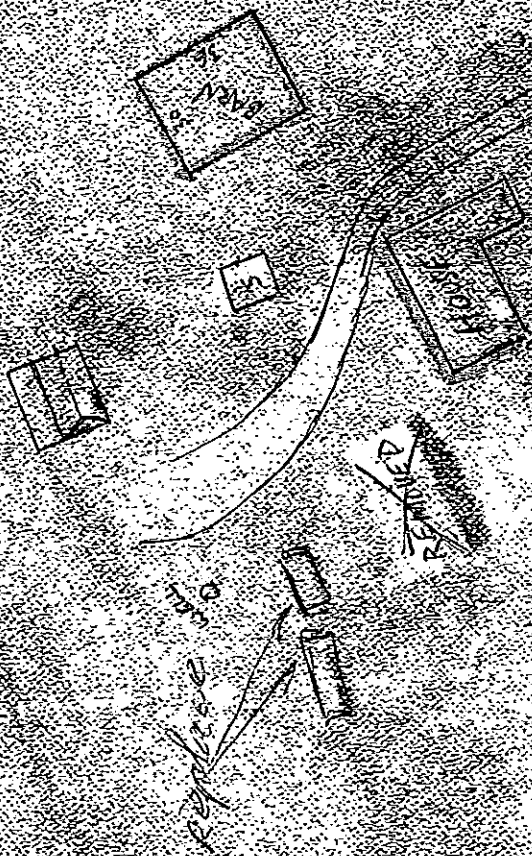
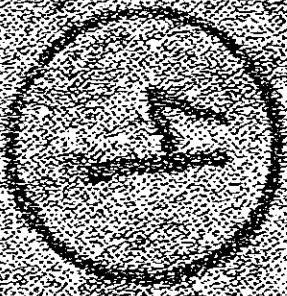
You have been talking with my husband, Phil Mathews, about the building we wish to replace on our property. Attached is a letter from my certification contact at the State Department of Agriculture, which should help establish our farm status. Please let me know if you have any questions. Thanks.

Sharyn

--

Sharyn Mathews
Cat's Paw Studios - Cheerfully designing, writing & editing since 1968
Website: www.catspawstudios.net

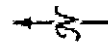
5/2/2012



409 S. Easley 1/6
m-p 20/55/2
1"=50'



- MapGrid
- towns
- Dimensions
- Address
- ParcelID
- Area
- Streets
- Parcels
- powerlines
- water
- wetlands
- Town
- roads
- highways



1 in = 168.99 ft

Printed:
4/4/2012



Town of Mansfield, CT

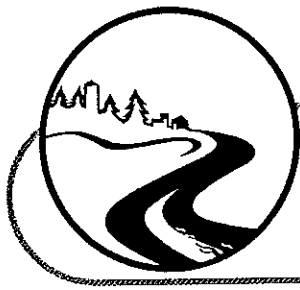
MATHEWS PROPERTY

65

Location: 409 SO EAGLEVILLE RD ID: 20.55.2

MainStreetGIS, LLC - www.mainstreetgis.com / info@mainstreetgis.com

Disclaimer: This map is for assessment purposes only. It is not valid for use as a survey or for conveyance



Willimantic River Review

Spring 2012

NRT Decision Soon

During the past two years, the Alliance has established an official 21-mile-long Willimantic River Water Trail from Stafford to Columbia. We coordinated this effort with riverside towns and the Ct. Dept. of Energy and Environmental Protection (DEEP).

As a next step, the Alliance and The Last Green Valley have applied to the National Park Service for designation of the Willimantic River and Quinebaug River Water Trails as National Recreation Trails (NRT). This application proposes improvements to the Water Trail's nine public launch sites, including signs, kiosks, and better water access. Maintaining the Water Trail would be shared by the Alliance, Ct. DEEP and the towns of Mansfield, Stafford, Tolland, and Willington. The Alliance greatly appreciates their support.

We await the NRT announcement by National Trails Day on June 2, when the Alliance is hoping to celebrate with our partners and the watershed community!

Stream Flow Regs Approved

After several years and three Ct. DEEP proposals, the Ct. legislature finally approved stream flow regulations in December, 2011. These will promote sufficient flow rates to allow aquatic life to survive in river and streams, especially during low-flow conditions.

Through many discussions between river advocates, Ct. DEEP and water users, a compromise agreement was reached: the regulations will apply only to dam releases as a first step. Ct. DEEP will begin stream flow classifications this year, starting in the Thames River Basin, which includes the Willimantic River. (Visit the Alliance website for more details.)

Although compromises had to be made, the limited regulations are a significant step forward. Future negotiations will address groundwater withdrawals by streamside wells. Many thanks to Margaret Miner of Rivers Alliance of Ct. for her unwavering advocacy on behalf of the state's rivers during negotiations.

A Message from the President

This may prove to be an important year for the Willimantic River, its watershed, and the Alliance. We are hoping for a National Recreation Trail designation. This would elevate all issues regarding the river, whether recreational, environmental or economic. There is no downside to this: everyone benefits, including towns, property owners and the many outdoor enthusiasts who enjoy the waterway every day.

To meet the expectations for the Water Trail, the Alliance needs greater participation from our members and the community. We are a grassroots, all-volunteer organization that welcomes participation in many areas that will help us improve our ability to deliver on our mission. Among these areas are Event Planning, Educational Programming, Water Trail Management, Publications & Website, Membership Development, and Fund Raising. We have openings for Board members and for committee members. If you feel a connection to the river, please consider sharing your energy and insight with us, or help support the Alliance with an annual donation. Most important, grab a paddle, rod, boots or camera, and spend some time with the jewel we all share. —Larry Diamond

Fishing Season Opens

The river is stocked with trout, and the first day to try for a big one is **Saturday, April 21**. Fishing licenses and the 2012 Ct. Angler's Guide are available at all Town Clerk offices and online from Ct. DEEP. Year-round fly fishing (catch-and-release) is available in the Cole Wilde Trout Management Area between Tolland and Willington. It extends for three miles from the mouth of Roaring Brook downstream to the Rt. 74 bridge. Check the Alliance website's Recreation page, Fishing section, for a link to a TMA map.

Riverwatch

In Willington, a travel service center has been proposed again off Exit 74 west of I-84. After Willington's Inland Wetlands and Watercourses Commission denied permission in 2010, the applicant has returned with a modified proposal. The Alliance submitted comments opposing this application again, citing the potential impact of stormwater and pollutant runoff into Roaring Brook, a Class 3 Wild Trout Management Area. The brook empties into the Willimantic River at the top of the Cole Wilde Trout Management Area, a popular year-round fishing area. The Alliance is especially concerned since there are already two large paved facilities on the east side of this I-84 exit.

Last fall, two groups used Rapid Bioassessment (RBA) inventories to assess water quality in the watershed. Shannon Rose and her students at E.O. Smith High School's Depot Campus tested water quality in Cedar Swamp Brook at Mansfield's Shelter Falls Park. With assistance from Ct. DEEP and WRA, students collected samples of organisms that live under stones on the stream bottom. After the samples were sorted, students found two Most Wanted species and 6 Moderately Wanted species, indicating that this stream is healthy. At Heron Cove Park in Tolland, Cynthia and Glen MacDonald used the same technique. They found three Most Wanted species in the river by the park. WRA appreciates these volunteer efforts and encourages other individuals and groups to form a RBA team to test other streams next fall. For information, contact The Last Green Valley Water Quality Monitoring Coordinator at Jean.Pillo@conserveCT.org.

In March, Alliance representatives used the Ct. DEEP's Envirosphere at a Girl Scout Thinking Day event in Tolland. This interactive exhibit

encouraged over 100 girls to try several ways to "pollute" a watershed and discover the impact that our daily actions can have on a river. The discussion highlighted ways to prevent water pollution.

The Town of Tolland is still negotiating a permit for increased withdrawals from the town's wells at River Park. The Town of Mansfield and UConn are in a joint search for more water to serve the Storrs area, either from new wells or from reservoirs in Tolland or in southern Mansfield. To prepare an Environmental Impact Evaluation, two test wells were drilled near the Willimantic River in Mansfield's Eagleville Preserve. These wells could not supply enough water to meet the projected need of over 400,000 gallons per day, but they might be used in combination with other new wells. The Alliance will continue to monitor these potential increases in groundwater withdrawals from riverside areas.

The Bolton Lakes Regional Water Pollution Control Authority is installing sewers for homes around the Bolton Lakes in Bolton and Vernon. Phase One is slated to be connected to the Manchester treatment plant this spring. This four-phase project to replace lakeside septic systems will improve water quality in the lakes and their outflow into the Hop River, which empties into the Willimantic River in Columbia.

NEW PARK SIGNS

Last year, the Alliance requested that the Ct. DOT put up signs along Rt. 32 so it would be easier to find parks and launch sites along the river. Now these signs point to River Park and Merrow Meadow Park in Mansfield. Many thanks to those who helped with this project: Mansfield town officials, Ct. DOT staff, and Eric Thomas, Ct. DEEP Thames Basin Watershed Manager.



WRA on the Web

It's time to enjoy the great outdoors! Visit the Willimantic River Greenway Parks and Trails Guide at www.willimanticriver.org to discover 25 public access sites along the river. Or visit the website's Paddling page for detailed information about the river's 21-mile canoe-kayak route.

Calendar

The Alliance posts upcoming events on its blog. Go to our website's Events page for access.

Wednesday, April 25

WRA Annual Meeting and Open House Join us for pizza at Willington Pizza House on Rt. 32 in South Willington from 6 to 7 p.m. to share news and photos. **Margaret Miner of Rivers Alliance of Ct.** will share her insights about the latest issues. Who will receive "Spirit of the River" honors this year? Annual meeting precedes at 5:30.

Saturday, May 5

Upper Willimantic River Paddle Canoe or kayak down this beautiful stretch of river for 8 miles from Tolland to River Park in Mansfield. Sponsored by the AMC Ct. Chapter. For experienced river paddlers with their own boats. Bring water and lunch. Life jackets required. Contact Barry at 860-705-3828 or barrygorfain@att.net to register.

Saturday, June 2

Family Cruise on the Willimantic River Celebrate National Trails Day on the river. Easy flatwater trip for canoes and kayaks from River Park to Eagleville Lake. Choice of short or long (two mile) round trip. Bring your own boat. Life jackets required for all participants. Bring water, lunch optional. Moderate to heavy rain cancels. Time: 10 a.m. to noon. Meet at River Park on Plains Road in Mansfield. Sponsored by Willimantic River Alliance and Mansfield Parks and Recreation Department. For information, call 429-3015 x 204.

Spring Paddling Trips

Water levels can make or break a canoe/kayak trip on the river. Before going out, check the USGS Willimantic River stream gauge (in South Coventry) at the Alliance website's Recreation page, Paddling section. **Launch sites and maps** for the 21-mile Water Trail are also in this section. **Safety tips:** state law requires that between October 1 and May 30 each person must wear a life jacket (PFD), and year-round there must be a PFD aboard for each person. Bring an extra rope and paddle, and tell someone where you plan to launch and take out. If you are a beginner, the safest place to try river paddling is in the slow current at River Park's handicapped-access boat launch on Plains Road (off of Rt. 32 just south of the Rt. 44 intersection in Mansfield Depot).

Flood Facts

This year's dry spring (so far) follows the wettest year on record in 2011. Such swings in precipitation cause the river's water levels to rise and fall dramatically. For a perspective on extreme events, note these Flood Facts. Hurricane Irene's rains in August, 2011, caused a high flow of 3,035 cubic feet per second (cfs) past the Coventry, Ct. USGS stream gauge. The highest flow in recent memory was 12,400 cfs in October, 2005 (following a serious drought) when the river's level rose to just under many bridges. In comparison, the September, 1938 Hurricane's peak flow was 15,500 cfs. Since records have been kept, the all-time high flow was 24,200 cfs in August, 1955, when many bridges along the river were washed out.

Contributors: Vicky Wetherell, Meg Reich
Design and Layout: Dagmar S. Noll

Inquiries or submissions for the Fall 2012 Edition may be submitted to:

WRA, P.O. Box 9193, Bolton, CT 06043-9193
or info@willimanticriver.org

View previous newsletters at
www.willimanticriver.org.

Willimantic River Alliance – Membership Form

Name _____
Address _____
Town _____ State _____ Zip _____
E-Mail _____ Phone _____

☐

Contact me about volunteer opportunities for the WRA

Mail completed form and check to:

WRA at P.O. Box 9193, Bolton CT 06043-9193

Memberships

Senior/Student
Individual
Family
River Steward
Patron

Annual Dues

\$ 5.00
\$10.00
\$15.00
\$ 50.00
\$ 250.00
(Lifetime Member)

Thank you for joining the Alliance! Your membership dues may be tax deductible.



Founded in 1996, the Alliance has a mission "to protect and preserve the Willimantic River through cooperative and educational activities that promote regional awareness, stewardship, and enjoyment of the river and its watershed." As a coalition of citizens, officials and local agencies, the Alliance sponsors events such as regional forums and outings and publications, including a newsletter and website www.willimanticriver.org. Our email address is info@willimanticriver.org.

Willimantic River Alliance, Inc. is a nonprofit 501 (c) (3) tax-exempt corporation. The Alliance promotes development of the Willimantic River Greenway, an official state greenway along the river's 25 miles from Stafford Springs to Willimantic. This regional project aims to connect recreational, historical and natural resource features along the river. These connections are being created by the nine riverside towns through natural resource preservation and recreation projects, such as linking trails and improving access to the river.

The river's watershed includes seventeen towns: (in Ct.) Andover, Ashford, Bolton, Columbia, Coventry, Ellington, Hebron, Lebanon, Mansfield, Stafford, Union, Tolland, Vernon, Willington, Windham, and (in Mass.) Monson, Wales.

Spring 2012

WILLIMANTIC RIVER ALLIANCE

PO Box 9193
Bolton, CT 06043-9193

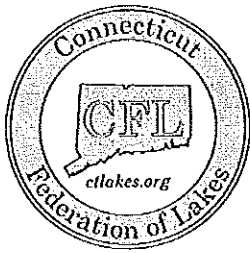
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Town Mansfield

Town Planner
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Storrs Mansfield CT 06268-2574



CFL News

Volume 17, Issue 1—March 2012

2012 Membership Drive

Your membership dues and tax-deductible donations help CFL to provide educational information to our members through our web site, conferences and special mailings of books and magazines. We appreciate and need your ongoing support.

Act now to join or renew your membership in the CFL with the application found in this newsletter.

We appreciate your support of the Connecticut Federation of Lakes in 2012.

INSIDE THIS ISSUE

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- 3 Bill to Reduce Phosphorus Use
- 4 CT DEEP Modifies Stormwater Regulations
- 5 Chatham Health District Pumpout Ordinance
Volunteer Secchi Disk Monitoring Program

President's Message

Reasons for Optimism

I have three reasons for you to be optimistic! First – In our winter 2011 edition of the CFL News I discussed an important State grant program designed to protect the water quality of our lakes, reservoirs and ponds, and how that program had not been allocated any funds by the Bond Commission for many years. In mid January, I wrote directly to CT DEEP Commissioner Daniel Esty to express our support and appreciation of the program, our concerns that it was not currently funded, and our hopes that he would consider helping to make some funds available through his bond package request to the State Bond Commission.

In the latter part of January I received a letter back from Commissioner Esty conveying to me that they fully intend to make a request to the State Bond Commission to allocate almost \$700,000 dollars for the Lakes Grant Program. If the funds are allocated by the Bond Commission, then the CT DEEP's Bureau of Water Protection and Land Reuse, who administers the grant program, will notify eligible municipalities, lake authorities and taxing districts and later award grants based on a priority rating point system.

The CFL greatly appreciates the Commissioner's commitment to Connecticut's Lakes. The CFL's next step to help ensure that this program is available in the near future is the Second – CFL's legislative initiatives continue to advance. There have been a number of bills proposed this legislative session that, if passed, would benefit our inland water resources. I strongly encourage you to visit the Connecticut General Assembly website at www.cga.ct.gov to read the proposed bills, and if they make sense to you like they make sense to us, strongly encourage your legislators to support them.

Senate Bill 254 - AN ACT RESTRICTING THE APPLICATION OF FERTILIZERS THAT CONTAIN PHOSPHATE, if passed, would make Connecticut the 12th state in the nation to pass similar legislation that curtails misuse and overuse of fertilizers containing phosphates. Phosphorus, as most of you know, is the limiting nutrient for algae growth and the lynchpin in cultural eutrophication of lakes. We've nicknamed this bill the Roraback and Chapin Phosphorus Fertilizer Bill in honor of State Senator Andrew Roraback and State Representative Clark Chapin who introduced it to the Environment Committee. Be sure to use their names when discussing this with your legislator so they know what colleagues to go to with their questions and comments.

House Bill 5259 - AN ACT REQUIRING THE INSPECTION OF VESSELS AND VESSEL TRAILERS FOR AQUATIC INVASIVE SPECIES would improve upon existing law that makes it illegal to move boats on trailers without first inspecting for the presence of vegetation. The law would be improved by adding invasive species to those things to inspect for. This is particularly important for those lakes susceptible to aquatic invasive animals like zebra mussels.

House Bill 5413 - AN ACT CONCERNING INVASIVE PLANTS is a bill recently introduced to the Environment Committee which looks to secure funds for an Invasive Plant Coordinator who would work with the Invasive Plant Council on developing early detection and rapid response plans, educating the public regarding invasive species, and training and coordinating volunteers to assist on invasive plant control projects. I suspect none of you reading this needs to be reminded of the kinds of issues we have with aquatic invasive plants and animals in our lake and we urge your support.

Lastly - Winter is just about over and it is almost time to get back out on our lakes again to create another treasure trove of great memories with family, friends and nature.

Kind regards,

Larry Marsicano
CFL President

A Review of the Darby Nelson Book Love of Lakes

Fighting water pollution and advocating for sustainability

Darby Nelson writes love letter to lakes he has known.

There is a description of a "hideous island of scum" afflicting algae-choked Diamond Lake in suburban Dayton, Minn., on an August day.

There is a riff on how human beings may have evolved as they did, developed the large brains that set them apart from other mammals, because of their ancient ancestors' ready access to fatty acids in fish from the lakes of East Africa's Rift Valley.

There is an account of a 16-day kayak trip around the north end of Lake Winnipeg. There is an ode to Rainy Lake revisited by canoe after a 40-year absence. And there is an imaginary dialogue with Henry David Thoreau about Flint's Pond, 150 years after Thoreau lamented the poor quality of the pond's water.

Welcome to Darby Nelson's informative, introspective account of what he calls a "cut-off blue jeans and soggy tennis shoes journey, a journey of paddling and wading, listening and sniffing, turning over stones and touching."

The tales of Nelson's journey are told in For Love of Lakes, a new 255-page book published by Michigan State University Press. Each of the 26 chapters in the book is a separate essay on a particular lake, the biology of lakes and the plant and animal species that inhabit lakes and the pollution problems that plague many lakes.

Nelson, a member of the Freshwater Society Board of Directors, taught environmental science classes at Anoka-Ramsey Community College for 35 years and served in the Minnesota House of Representatives for three terms in the 1980s. He began researching and writing the book after he took early retirement in 2000 at age 60.

Initially, Nelson planned to write a scholarly book. "I started out as a typical academic: I'm going to lay out the information," he said. But then he sought writing help in workshops at the Loft Literary Center in Minneapolis. He credits a teacher there, Elizabeth Andrew, for changing the tone of the book. "She said, 'You're working on a book?'" he recalled. "I

said 'Yes.' She said: 'You need to know that people want to read about people.'"

So Nelson changed what he was writing to make it an account of his travels – often in a canoe, sometimes alone, and sometimes with his wife and paddling partner, Geri – to lakes across Minnesota and elsewhere. His essays about those lakes convey a lot of science, but the essays deal as much with Nelson's interior reflections on the lakes as they do with physical descriptions of them.

"I would describe the style as creative nonfiction," he said. "It is using story. The writer is a presence, often in the first person, in the narrative."

Nelson's most scathing criticism of the state many lakes have fallen to – a chapter titled "August Epiphany" – deals with his brief visit to Diamond Lake in Dayton, near his home in Champlin. "Though the canoe floated on water less than a foot deep, I could not see the bottom," he writes. "The lake had never seemed particularly clear on previous visits, but this time it looked especially green."

The lake was filled with blue-green algae. "Zillions of cells," he writes. "I had never before seen a lake's blue-greens dense enough to form clots. I admit to a grudging respect and intense curiosity about any creature that can so effectively take over a space, disgusting though it may be."

In the same chapter, Nelson details an excursion the following summer to 14 lakes in southern Minnesota. About half had the same lack of clarity, the same degradation, as Diamond.

He portrays his journey to those lakes and the others in the book as an attempt to resolve a paradox: Humans love lakes. All kinds of evidence attest to that love. Yet we allow human actions and values – our bright green lawns, our farm fields that sometimes run to the edge of the cattails – to degrade those lakes.

Another chapter tells of Nelson's visit to Thoreau's Walden Pond, lined with fences to keep tourists from trampling the banks, but only a bit less clear than in Thoreau's day and still capable of supporting trout. And still another chapter tells of a visit to Flint's Pond, another Massachusetts lake that Thoreau wrote about.

In Thoreau's day, Flint's Pond, a nutrient-rich lake named for the farmer whose land abutted it, was

deemed by Thoreau to be decidedly inferior to Walden.

When Nelson visits Flint's Pond the lake has become the water supply for Lincoln, Mass. No access is allowed. No swimming. No fishing. Public land and conservation easements protect its shores. There is a bit of August algae, but not much, and the water surely is cleaner than when Thoreau wrote about it.

Nelson enters into an imaginary first-name dialogue with Thoreau, weighing the delight he thinks Thoreau would take in the pond's cleaner water against the frustration and disgust he believes Thoreau would feel toward the restrictions on access. He tells his imaginary Thoreau about his own conversations with several farmers whose families owned land on Diamond Lake for generations, and his appreciation of their love for the lake even as some of their farming practices contributed to its demise.

"I am struck, Henry, that regardless of our differing visions of lakes, no lake is enhanced by the runaway ills that now plague them," Nelson writes. "Aside from those who see shallow lakes as problems to be drained, all other visions of lakes ultimately share the same goals, reachable only through enlightened stewardship."



Urgent! Help Save Your Lake - Support Proposed Bill to Reduce Phosphorus Use in Lawn Fertilizers

By Tom McGowan

The Connecticut Federation of Lakes applaud Sen. Andrew Roraback and Rep. Clark Chapin's plan to co-sponsor a bill to reduce the impact of phosphorus in lawn fertilizers on the water quality of Connecticut's lakes, ponds, streams and rivers.

Eleven states, including Maine, Vermont, New York and New Jersey have adopted similar legislation focusing on phosphorus application to existing lawns.

One pound of phosphorous in a lake can grow 10,000 pounds of algae and aquatic plants. It reaches lakes from many sources - storm run off from roads, farms, erosion, construction sites and septic systems. Lawn fertilizer, applied every year on more and more lawns, is a source that can be controlled with legislation.

Soil tests in Connecticut show the vast majority of existing lawns have sufficient phosphorus to maintain a healthy lawn. Most of these eleven states:

- limit sale of phosphorus in fertilizer for lawn maintenance,
- require that stores post signs warning phosphorus fertilizers threaten water quality,
- ban fertilizer use on frozen or saturated ground or close to a water body and
- require immediate clean up of spills on impervious surfaces.

Exemptions apply to phosphorus use for new lawns, for lawn repair or where a soil test show it is needed. Also exempt are farm, garden, shrubbery and tree applications.

Manufacturers have switched to zero phosphorus laundry detergents and dishwashing liquid to protect water quality and we still have clean clothes and dishes. It is time we did the same to protect our lakes - the scenic gems of our landscape, a rich source of recreational enjoyment, water based recreational jobs and an important part of local tax bases.

Please learn more about this legislation and urge your State legislator to support this bill. Please visit www.ctlakes.org for more information



CT DEEP Modifies Stormwater Regulations

By Chris Mayne

In an effort to catch up with the EPA, the CT DEEP has recently begun modifying the four stormwater permits issued by the agency. The four permits issued by the CT DEEP include the Industrial, Construction, Commercial, and MS4 systems (municipal separate stormwater sewer systems) general permits. Stormwater is an important issue because runoff during a storm event does not get treated before entering our rivers, streams, lakes, and drinking reservoirs. Therefore, the enforcement of these regulations are important to improving the stormwater entering our waterbodies.

The first permit to be modified was the Industrial permit. After several revisions, the new Industrial stormwater permit was passed and became effective this past October. The new permit essentially brings the program up to speed with the current EPA regulations. There are many new requirements with the permit including lower concentration thresholds, increased monitoring, more prescriptive control measures, and a

stricter timeline in complying with the permit requirements. These changes to the Industrial permit should allow for better enforcement.

CT DEEP Thresholds for the Industrial Stormwater Permit		
	Previous Goals	New Benchmarks
Chemical Oxygen Demand	75.0 mg / L	75.0 mg / L
Oil and Grease	5.0 mg / L	5.0 mg / L
Total Suspended Solids	100 mg / L	90 mg / L
Total Phosphorus	0.50 mg / L	0.40 mg / L
Total Kjeldahl Nitrogen	2.5 mg / L	2.3 mg / L
Nitrate as Nitrogen	1.5 mg / L	1.1 mg / L
Total Copper	0.100 mg / L	0.059 mg / L
Total Lead	0.050 mg / L	0.076 mg / L
Total Zinc	0.500 mg / L	0.160 mg / L
pH	5 - 9 S.U.	5 - 9 S.U.
Aquatic Toxicity	>50% survival	None

The Construction stormwater permit expires on September 30, 2012 and is currently being revised. Modifications of the permit include a greater emphasis on endangered species and discharging to impaired waters, a requirement for turbidity monitoring, and the use of a certified professional to prepare a pollution control plan, and to design and inspect erosion control measures. Low impact development methods and technologies will play a significant part of the control measures implemented in future construction projects. The CT DEEP hopes this soon to be modified permit will streamline project review and enhance enforcement when necessary.

The MS4 and Commercial stormwater permits will be addressed and modified within the next few years. The MS4 permit expires on January 8, 2013 and the Commercial permit expires on April 30, 2014. Expect new entities to be included in these permits such as hospitals and schools.

The final result of these modified regulations should be better water quality of stormwater entering into our waterbodies. Only time will tell if this is true or if more is needed to protect our waterways.

Chatham Health District Pumpout Ordinance Update

By Bruce Fletcher

With major encouragement from the East Haddam Lakes Association, (Bashan, Hayward and Moodus), the regional health district created in 2009 a pumpout, inspection and correction program and ordinance.

There are about 27,000 septic systems in the towns comprising the health district- Colchester, East Haddam, East Hampton, Haddam, Hebron, Marlborough and Portland. While 6,000 systems have been pumped since 2009, only 550 permits to discharge applications (\$30 each) have been received and only 200 permits to discharge have been issued. Clearly, there are problems.

The lake associations had hoped that owners would be required to get pumped, rather than be left to comply voluntarily. A top priority was to first contact owners in sensitive lake, pond, stream, wetland and river watersheds to curb possible nitrogen and bacterial pollution.

It was hoped that the fees collected (about \$17,000 to date) would cover faster office administration, timely record keeping and the enforcement when repairs are required. The goals are less pollution, inventory of good and bad systems (cesspools, metal tanks and those with failures), an accurate data base for GIS mapping and strategic planning to better protect water resources in places where lots are too small, too steep and have shallow depth to bedrock, high water table and unfavorable soils. In these difficult areas, a compelling case could then be made to set up decentralized wastewater management districts (DWMDs) in which special systems are allowed. This is happening in Old Saybrook.

All lake associations and towns with lakes, ponds, rivers, etc. should work to set up a pumpout, inspection and correction ordinance. The CFL would be glad to help in your efforts.



Volunteer Secchi Disk Monitoring Program

2009-2010 Report

Connecticut Federation of Lakes

By Chris Mayne

2010 marked the seventh year of the Volunteer Secchi Disk Monitoring Program. The 2010 reporting season marked the highest number of lakes reporting data of any year in the program. Over the seven year period, 49 Secchi disks have been handed out and twenty (20) lakes have reported data. The CFL and I would like to thank all of those volunteers who provided data. The program could not succeed without your participation and your support.

2009-2010 Data

The Secchi disk depths for the lakes reporting data between 2009-2010 ranged between 0.3 – 8.2 meters. West Hill Pond reported the greatest Secchi depth at 8.2 meters in August of 2010 and Woodridge Pond, a shallow pond, reported the least Secchi disk depth at 0.3 meters also in August of 2010.

2004 – 2010 Data

The data collected over the past seven years has become more challenging to present in a concise graph and table. The table has become too large and the graph is too busy to be meaningful. Instead, I have decided to use a bit of technology to help display the Secchi disk data collected from the various lakes over the past seven years. I have created an online map showing the data submitted from each lake. The map has two main functions. The first is to provide an easily viewable distribution of the lakes participating in the program across the state of Connecticut. The second function of the map is to present the Secchi data submitted from each lake. By clicking on a balloon on the map, the name of the lake is presented along with a graph of that lake's submitted Secchi data. By clicking on the graph, a new window appears showing a larger view of the data. The data is presented in meters. Interested parties can quickly view data from across the state. The link to the online map as well as other charts can be found on the CFL website which is CTlakes.org. I hope to improve the map and graphs over the next year. Please let me know your thoughts and how the map may be improved to better serve interested viewers.

Please encourage other lake associations to participate in this program. I am interested in any comments

or suggestions that you might have to improve this monitoring program.

Remember to send in your Secchi disk measurements for 2011. Thank you again for all of your efforts.



About the Connecticut Federation of Lakes

Everyone agrees that healthy lakes are highly valued natural assets whose beauty and recreational offerings make them irresistible to so many each season of the year. Towns with attractive lakes annually collect higher property tax revenues and benefit each year from months of "trickle down economics". These precious resources are fragile, and need constant monitoring and preventive and corrective programs. So it is no wonder that individuals, families, lake associations, towns and states proactively work to help their lakes and recognize that unprotected lakes may become damaged beyond repair.

The Connecticut Federation of Lakes (CFL) was formed in 1995 to help individuals, steering committees and established lake associations with needed guidance, advice and support. In addition, the CFL fosters an alliance of Connecticut's many pond and lake protective organizations so that Connecticut lakes can speak with a unified voice.

The CFL board members are dedicated volunteers who have first hand experience in dealing with lake and association issues. Since some board members are professional lake managers and others have masters & doctorate credentials in the science of limnology, the CFL can and does help. Recently the CFL helped pass legislation geared to curb the establishment of invasive aquatic plants in Connecticut. Boat launch monitoring, on site waste water management guidelines, and model municipal regulations and ordinances for watershed protection are current initiatives.

The CFL publishes newsletters for members full of technical information, lake profiles, management tips and news from the DEEP. Chuck Lee of the DEEP, an environmental analyst in the Bureau of Water Protection and Land Reuse, 860-424-3716, attends all the CFL Board meetings. The CFL works with the Governor to designate the annual Lakes Awareness Week and hosts educational conferences for CFL members

and friends. In addition the CFL is an active full participant in NEC-NALMS (the New England Chapter of the North American Lake Management Society). We participate in their programs annually and host the 3 day conference on a rotating basis.

Lakes in Connecticut need to receive more preventive medicine. In other New England states, the citizenry and legislators have pushed through bigger and better programs for lakes. If you treasure your lake, please join the CFL. With your help the CFL will continue to make a difference locally and statewide.



Contact the CFL

For more information regarding the Connecticut Federation of Lakes, visit our web site at www.ctlakes.org, contact Penny@Ctlakes.org, or write to P.O. Box 216, Windsor, CT 06095.



CFL Board

Larry Marsicano, President – Candlewood Lake
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Penny Hermann, Secretary, – Lake Williams
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Bruce Lockhart, - Certified Lake Manager
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Tom McGowan, - Lake Waramaug
Connie Trolle – Bantam Lake

Newsletter Committee

The Newsletter Committee welcomes your input and your articles. Please send suggestions or articles to CFL, P.O. Box 216, Windsor, CT 06095 or e-mail to Penny@Ctlakes.org.

The newsletter committee includes:

Bruce Fletcher
Penny Hermann
George Knoecklein

CFL Application - 2012

Yes! I want to be a member of the CFL!

(Please make check payable to Connecticut Federation of Lakes)

☐ Individual (\$25/year)

☐ Lifetime - for individuals only (\$500)

☐ Lake Association (\$150/year)

☐ Tax Deductible Donation

Name _____

Address _____

Telephone _____

E-mail _____

Lake _____

Whom may we thank for your referral?

Mail to: CFL, P.O. Box 216, Windsor, CT 06095

Calendar

Board Meetings – 3rd Wednesday of January, March, April, May, June, September, and October 7PM at Northeast Utilities, Newington, CT

Annual Meeting and election of Directors and Discussion of issues of interest to CFL members April 18, 2012 at Northeast Utilities, Newington, CT.

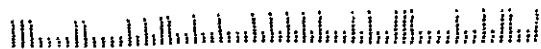
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THE HABITAT

A newsletter of the Connecticut Association of Conservation
and Inland Wetlands Commissions, Inc.



Spring 2012

volume 24 number 1

State Open Space Grants for Municipalities

Applying for an Open Space Grant

Deadline: June 28, 2012.

Application: Current version
is available on DEEP website:
www.ct.gov/deep/openspace

Grant awards are expected to be
awarded in the fall of 2012.

For more information contact:

Dave Stygar at (860) 424-3081 or
Allyson Clarke at (860) 424-3774.

Connecticut Department of
Energy and Environmental
Protection (DEEP) has at least
\$5 million for this grant round
available to assist cities and
towns with the purchase and
preservation of open space lands
through the state of Connecticut's
Open Space and Watershed Land
Acquisition Grant Program. *See*
page 16 for back ground on Open
Space Grants.

Editor's Note: The Council on Environmental Quality (CEQ) is required by law (CGS Section 22a-12) to recommend legislation "for remedying the deficiencies of existing programs and activities," and offers appropriate recommendations. We thank Karl Wagner, CEQ's Executive Director, for his permission to publish sections of the Council's report and legislative recommendations. Proposed bills raised by the legislature related to CEQ's recommendations are listed at the end of each section. For the full CEQ report and recommendations to the legislature go to www.ct.gov/ceq/lib/ceq/Recommendations_for_Legislation_for_2012.pdf.

Council on Environmental Quality's 2012 Recommended Legislation for Inland Wetlands Training

The Council on Environmental
Quality (CEQ) is required by
law (CGS Section 22a-12) to
recommend legislation "for
remedying the deficiencies
of existing programs and
activities." This year the Council
recommended changes to the
statutes regarding training for
members and staff of municipal
inland wetlands and watercourses
agencies (IWWA). Many of these
recommendations have found
their way into Raised Bill 349,
An Act Concerning Training
for Inland Wetlands Agency
Members and Agents.

Training is available, but too
few complete the training, to
the detriment of wetlands and
landowner-applicants.

Training is an extremely low-cost
approach to land conservation:
commissions with members who
have completed training allow
less wetlands destruction than
commissions that have no trained
members. (Detailed statistical
analysis is available in the CEQ
Special Report, *Swamped*; link-
[www.ct.gov/ceq/lib/ceq/swamped_](http://www.ct.gov/ceq/lib/ceq/swamped_with_links.pdf)
[with_links.pdf](http://www.ct.gov/ceq/lib/ceq/swamped_with_links.pdf)

Current law (CGS Section 22a-
42(d)) requires each local wetlands
commission to include one person
who has completed the Department
of Energy and Environmental
Protection's (DEEP)
comprehensive training program.
Many towns do not comply
with this requirement. In 2011,

IW legislation, continued on page 12

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Status and Trends

Wetlands account for about 15
per-cent of the state's surface.
Regulation of development in
and around inland wetlands and
watercourses is handled almost
entirely by volunteer local
commission members, of whom
there are more than a thousand.

CACIWC Board of Directors

Officers

Alan Siniscalchi	President
Laura Magaraci	Vice President
Maureen FitzGerald	Secretary
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Darcy Winther DEEP Liaison



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www.caciwc.org

CACIWC News Briefings

One of the most important documents for any non-profit organization is its strategic plan. This document outlines the important goals of the organization and sets the short and long-term priorities for the following three to five years. In 2008, the CACIWC Board of Directors adopted its first comprehensive strategic plan that was completed following a multi-year development process under the thoughtful guidance of the late Allan Williams.

1. During 2012, the CACIWC Board of Directors will begin the process of developing an **updated strategic plan** with a target completion date of 2013. The board will review the five highest priority goals and the thirteen priority goals established for the 2008 plan, evaluate the board's progress in attaining these goals, and select new goals and objectives for the next three to five years. It is anticipated that the board will continue to give our education and outreach activities the highest priority. The board will also focus on the need to assign both fiscal and human resources necessary to accomplish these goals. This renewal process reflects the Board of Director's recognition of the need to ensure the productive future of CACIWC. This column will provide periodic updates on the process and outline opportunities for members to provide input to our next strategic plan.

2. The CACIWC Board of Directors will also be conducting a major review of our **bylaws** during 2012 to determine if any amendments are needed. This review will focus on the composition of board to determine whether the existing eight county-based representative structure should be modified. The board will also be considering mechanisms that could permit use of virtual meetings and electronic voting for approval of urgent actions between regularly scheduled meetings or during inclement weather. The board will seek early member feedback on any proposed changes, which must be approved by a majority vote of members at the Annual Meeting or a special meeting of the membership.

3. The Board of Directors is reviewing the many comments and suggestions that were submitted in 2011 annual meeting survey. If you missed the meeting or neglected to complete the survey you can still submit your suggestions for workshop topics and speakers to recruit for our upcoming **35th Annual Meeting and Environmental Conference**, scheduled for Saturday, November 10, 2012. Please send your ideas to us at AnnualMtg@caciwc.org along with any other general suggestions. Watch for additional conference news in upcoming issues of *The Habitat* and on our website: www.caciwc.org.

CACIWC news, continued on page 13



Wetlands Agencies and the Fourth Amendment

The legal issues facing administrative agencies are often intricacies of the statute and how, primarily, the state Supreme Court interprets those provisions. It is rare when a constitutional right steals the show. That is what happened on February 14th when the Connecticut Supreme Court issued its unanimous decision in *Bozrah v. Chmurynski*, 303 Conn. 676 (2012).¹ In that case the Supreme Court *reversed* the trial court order requiring the private landowners (the defendants) to allow the zoning enforcement officer (the plaintiff) to inspect their residential property. The Supreme Court held that the trial court did not apply the standard of proof required by the Fourth Amendment to the United States Constitution, which prohibits unreasonable searches by the government unless a search warrant is issued based upon probable cause. This case did not break new ground. The state Supreme Court relied on established precedent from the United State Supreme Court.

Why are you reading about a zoning enforcement case? Yes, there are differences between zoning *statutes* and wetlands *statutes*. But the *constitutional* principles apply equally to all of the land use administrative agencies. In *Chmurynski* the zoning case involved inspection of a residence and its curtilage. "Curtilage" was defined earlier in *United States v. Dunn*, 480 U.S. 294 (1987), as the area immediately surrounding a residence that "harbors the 'intimate activity associated with the sanctity of a man's home and the privacies of life.' "

What happened in Bozrah: The first selectman directed the zoning enforcement officer (ZEO) by e-mail to inspect residential property at a specific address for unregistered motor vehicles and "other junk." Five adults reside at the address. The ZEO arrived and eventually spoke with the land owner who refused to consent to the ZEO's inspection of the residential property and curtilage. Without conducting a search the ZEO observed the following while at the address:

- six vehicles
- not in disrepair
- with license plates
- registration status unknown.

The ZEO then consulted with the town attorney. The ZEO returned to the property. In the interim a fence had

been installed, blocking the view from the street. The town initiated a civil suit seeking an injunction to allow the ZEO to conduct the inspection authorized by CGS § 8-12. Here is where there is a difference between zoning and wetlands law. There is reference to inspections in the zoning law -- there is no reference to inspections in the wetlands statutes.

Eventually the trial court held a hearing on the request for injunction, an order requiring the land owner to allow the ZEO to inspect the property, and granted it. The trial court relied on the statute and municipal regulation authorizing inspections. It recognized that (1) the reasonableness requirement of the 4th Amendment applies to zoning inspections, (2) reasonableness can be satisfied with a valid governmental purpose and concluded (3) a court-ordered injunction is a proper vehicle to satisfy the 4th Amendment's "search warrant" requirement.

The Connecticut Supreme Court overturned the trial court's decision based on the following reasoning. The 4th Amendment protects against unreasonable searches. Did the land owner have a reasonable expectation of privacy? Yes. Residences and the curtilage area have been deemed areas of legitimate expectation of privacy. The fence, once installed, defined the area of curtilage. The 4th Amendment applies to all searches, not just criminal investigations.

The state Supreme Court considered the type of search, the nature of the premises and the governmental public policies. In routine inspections of an entire area a "relaxed probable cause standard" is acceptable. The Court distinguished a search motivated by a specific complaint with a general search of an area to implement regulatory enforcement. An example given was the routine annual inspection by a city housing inspector. In that case the motivation was neutral, general and not motivated by a complaint. But a specific search target, a specific address, stemming from a complaint does not fall into the relaxed standard.

Probable cause; *what it isn't*: it is not a "(c)ommon rumor or report, suspicion, or even 'strong reason to suspect' . . ." and "simple good faith on the part of the arresting officer is not enough . . ."ⁱⁱ Often all that a wetlands agency or

legal, continued on page 4

legal, continued from page 3

staff has knowledge of, when motivated to inspect private property, is a rumor or suspicion. As you see, that does not constitute probable cause.

Probable cause: *what it is*: “there must be a preliminary showing of facts within the knowledge of the zoning officer and of which that officer has reasonably trustworthy information that are sufficient to cause a reasonable person to believe that conditions constituting a violation of the zoning ordinances are present on the subject property.”ⁱⁱⁱ

Finally, the state Supreme Court ruled that a judicial hearing before a judge that results in an order requiring the defendant to allow a search of private property is the functional equivalent of search warrant because the individual’s right to be free from unreasonable searches is protected in court proceedings. The difference is that a search warrant is issued very quickly (within hours or a day) of an ex parte hearing before a judge. A court order occurs usually weeks, if not months, after the hearing before the court has been held.

Are you thinking that the wetlands agency can just try to apply to court for a search warrant to inspect property for wetlands violation, as long as probable cause exists? The Connecticut Supreme Court said no to the zoning enforcement officer -- for reasons that apply to wetlands agencies as well. The Supreme Court noted that there is no statutory authority in the zoning law to apply for a civil search warrant. (If the state’s attorney office had been pursuing criminal violations of the zoning law, that office could have relied on general criminal statutory provisions for a criminal search warrant.) The Supreme Court held that it is a matter for the legislature to address, not the courts.^{iv}

For instance, the Commissioner of the Department of Energy and Environmental Protection, *does* have explicit statutory authority, CGS § 22a-6(a)(5), to seek a civil, administrative search warrant. Additionally, the Commissioner has explicit authority to delegate his right to municipal authorities to enter onto property to conduct inspections to carry out specifically enumerated regulatory programs. That statutory right to delegate inspections, CGS § 22a-2a, includes the tidal wetlands act, but does not include the inland wetlands and watercourses act. The state inland wetlands statute provides no authority for municipal authorities to apply for administrative search warrants or to inspect property for violations of the wetlands laws.

Back to Bozrah case, the Supreme Court concluded: “We do not believe that the mere fact that six vehicles, none of which appeared to be in disrepair, were parked on the property of a home where five adults resided provides sufficient reason to suspect a violation of the Bozrah zoning regulations.” Without probable cause there is no basis to issue a search warrant, or in this case, a court order mandating inspection.

It is important to remember that, with consent, the agency may enter on private property. Your standard agency permit application should have the applicant granting consent to inspections necessary for the agency to make a determination on the application. Your standard agency permit should include a condition requiring the permittee to allow reasonable inspections of the property. But for land owners or those conducting activities without a permit, your agency should begin by asking for permission to enter onto the property. If that is denied, your agency should undertake inspections upon the advice of legal counsel.

This article, in the space of one column, cannot serve as a primer on 4th Amendment jurisprudence. This specific Supreme Court case deals with residential property and the curtilage associated with it. This may be one of the few areas that I do not believe training will solve most or all of the problems. Access to legal advice will be essential in determining whether the 4th Amendment applies, whether any exceptions exist, and whether there is probable cause to seek a court order to inspect property. This case should give anyone reason to pause and seek legal advice before entering property without the owner’s consent to conduct a wetlands inspection.

Janet P. Brooks practices law in East Berlin. You can read her blog at: www.ctwetlandslaw.com.

(Endnotes)

i You can read the case on the Judicial Website at: <http://www.jud.ct.gov/external/supapp/Cases/AROCr/CR303/303CR26.pdf>. Or go to: www.jud.ct.gov, click on Opinions, click on Supreme Court Archives, click on 2012, click on February 14, click on the case.

ii Bozrah v. Chmurnyński, 303 Conn. 676, 686 (2012).

iii Bozrah v. Chmurnyński, 303 Conn. 676, 692-693 (2012).

iv Bozrah v. Chmurnyński, 303 Conn. 676, 695 n. 11 (2012).

v Bozrah v. Chmurnyński, 303 Conn. 676, 693 (2012).

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” ~ The Fourth Amendment to the United States Constitution



Old Saybrook Conservation Commission Institutes a Community Sustainability Website

by Bob Fish, Old Saybrook Conservation Commission

After spending the last eight years pursuing and accomplishing many of the goals spelled out in the Old Saybrook Conservation Commission's Plan of Conservation & Open Space, the commission is developing an update for this plan. This article provides a glimpse of the path that led to the decision to focus the update on Community Sustainability and how issues and priorities will be determined.

The Old Saybrook Conservation Commission's present Plan of Conservation & Open Space was adopted in 2004. The plan's purposes and uses are many, including protecting the Town's natural resources and habitats, providing information to Land Use regulatory commissions as they process land use applications, and aiding the Town's Land Acquisition Committee in identifying properties of value to preserve for future generations. This plan defines the ongoing work of the Conservation Commission. Priorities have been placed on developing greenways

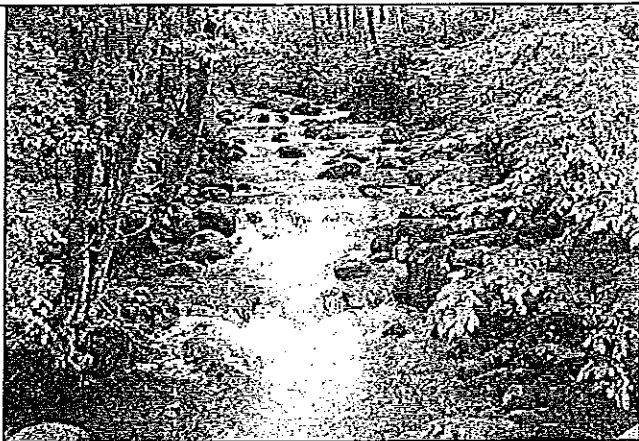
and trail systems for passive recreation, a Stewardship Plan for town land, developing a Natural Heritage Tour showcasing the town's natural resources, completing an Oyster River fishway system, and attaining the town's 21% Open Space goal.

Since the Town purchased the 315-acre property in 1999 now known as the Great Cedars Conservation Area, residents have enjoyed the west side of this land accessed from a rustic parking area on Ingham Hill Road. The trails on the west side of this land lead through Atlantic White Cedar swamps and the forest as far west as the Town Park on Schoolhouse Road. Trails have now been completed for the east side of the Great Cedars Conservation Area, accessed by means of a new parking area off Merritt Lane.

A new version of the Natural Heritage Tour of the Town of Old Saybrook was published and distributed to the public. It contains a self-guided tour map and discussion of the town's open spaces and preserved natural resources. This has become a favorite for visitors to the local Chamber of Commerce office.

For years, a fishway system for the Oyster River watershed has been a part of the Town's Plan of Conservation & Development. The purpose of the fishway system is to allow river herring and eels to reach their traditional habitat in the northwestern part of town, as part of a larger effort to preserve the overall environmental health of the Oyster river watershed area and hence the town. The third and final fish passage in the system, a natural fishway

Old Saybrook, continued on page 14



- * Low Impact Development Analyses, Designs & Regulations
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New App Provides Access to Soil Survey Information for Land Use Commissions

A new smartphone app to access soil survey information is now available as a free download for both iPhone and Android users. Called *SoilWeb*, the app combines online soil survey information with the GPS capabilities of smartphones.

SoilWeb is a portable version of the UC Davis California Soil Resource Lab's Web-based interface to digital soil survey data from USDA's Natural Resources Conservation Service (NRCS). Because the app provides soil survey information in a mobile form, it is particularly useful for those working in the field.

NRCS introduced the Web Soil Survey (WSS), an online tool for accessing soils information, a few years ago. It is great for users of soils information—engineers, developers, farmers and many others—because it provides quick access to the most current data produced by the National Cooperative Soil Survey. Until recently, a disadvantage of Web-based soil survey formats was user access was limited to desktop computers with an internet connection. That reason is why soil scientist Dr. Dylan Beaudette (while still an undergraduate with UC Davis California Soil Resource Lab) collaborated with NRCS to develop the app.

SoilWeb can retrieve a graphic summary of soil types in response to a user inquiry in the form of soil profile sketches. Each profile sketch shows soil horizons (often compared to a vertical ice cream sandwich) made up of layers of soil. Soil names, locations and taxonomic categories are also shown.

Clicking on soil sketches sends the user to the corresponding Official Series Description, a user-friendly narrative of commonly used soil properties such as horizon depths, colors, texture, and rock fragment content. Clicking on a soil name (listed above each sketch) provides the user with a more detailed description including physical and chemical properties, definitions, and links to a variety of environmental databases. This means that conservation or inland wetlands commissions, a farmer, or even a backyard gardener could use a smartphone to gain an understanding of the soil type in the surrounding landscape. Soil health is a key factor in the success of plants—the type of soil determines what nutrients are needed, as well as how much water should be applied.



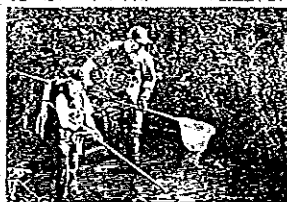
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Editor's Note: The Council on Environmental Quality is required by law (CGS Section 22a-12) to recommend legislation "for remedying the deficiencies of existing programs and activities" and offers appropriate recommendations. The following article includes recommendations to the legislature regarding farm, fields and forests. For the full CEQ report and recommendations to the legislature go to http://www.ct.gov/ceq/lib/ceq/Recommendations_for_Legislation_for_2012.pdf

Council on Environmental Quality's Recommended Legislation for Farm, Fields, and Forests

Status and Trends

Connecticut will need to preserve at least 2,000 acres of farmland each year to meet its ultimate goal. For the first time in nearly 20 years, the Department of Agriculture met that mark in 2011.

The Farmland Preservation Advisory Board has identified and rated 1,300 acres of active farmland owned by the Departments of Mental Health and Addiction Services, Correction and other agencies that could be preserved at virtually no cost. Though owned by the state, these productive lands currently are not preserved in perpetuity.

Nobody knows how many acres of forest and other open space land have been preserved for conservation purposes throughout the state, or where Connecticut stands in relation to its statutory goal of preserving 21% of the land. It is clear, however, that the state itself is making very little progress toward its own goal of protecting the best ten percent through state ownership.

2012 Legislation Recommendations

- No-cost acquisitions: Adopt legislation to permanently protect farmland owned by state agencies by establishing a goal and process, and direct the Department of Energy and Environmental Protection (DEEP) to include in its 2012 revision of the "Green Plan" (CGS Section 23-8(b)) an assessment of undeveloped parcels owned by other state agencies that might warrant permanent conservation.
- Maintain the current capital budget for the Department of Agriculture's farmland preservation (through purchase of development rights) program.
- Authorize sufficient funds (probably \$20 million) to preserve 12,000 acres per year of open space by DEEP and state grant recipients.

This 12,000-acre annual target includes the hundreds or thousands of uncounted acres preserved annually by municipalities and land trusts at no cost to the state.

"This is the top priority that has been voiced by the land trust community [137 land trusts]. But for lack of state funding, we could move forward on the conservation transactions in our queue." -- Amy Paterson, CT Land Conservation Council, CEQ's November 16, 2011 Public Forum

- Improve the state's strategy for conserving land, especially for wildlife habitat. Require DEEP to identify the highest priority conservation lands in its 2012 revision of the "Green Plan".
- Establish a registry of preserved lands, built on voluntary reporting by municipalities and private organizations. This could be accomplished by designating a registry created and operated by a nongovernmental organization.

"The CACIWC [Connecticut Association of Conservation and Inland Wetlands Commissions] Board of Directors supports these recommendations, in particular CACIWC is very much in favor of establishing a statewide registry of preserved lands." -- CACIWC, CEQ's Public Forum

Proposed Legislation related to CEQ Recommendations

As we go to press, none proposed.



Editor's Note: The following open space "encounter" was in an unsolicited email received from Rod Parlee, Chairman, Bolton Conservation Commission. With his permission—enjoy. Would you like to share an Open Space Tale? Contact the Editor.

Open Space Tales: An Encounter with a Bull Moose

On the way to Freja Park (Bolton, CT) yesterday about 5 pm, I had an encounter with a bull moose! While enjoying the spring like weather in February (2012) and hiking at a slow rate, much to my surprise on the ridgeline was a dark shaped object. I first thought it was a bear standing on his hind legs and began to retreat, but after focusing my eyes I quickly saw that it was a BULL MOOSE! It was standing and facing me about 100 yards away. I already had my camera out and in my hand, so I began snapping away, then zooming in. I recalled taking photos years ago, of the Avalon caribou herd in New Foundland and learned how they have terrible eye sight, so I didn't move. I remembered the Native American slogan that when a pine needle falls on the forest floor, the eagle sees it, the bear smells it and the deer hear it. For about five minutes we both didn't move. He eventually bobbed his head up and down,



heard my camera, picked up my scent and changed his direction from heading right toward me to head in a more southerly direction into the 21-acre Freja Park. This park borders Notch Pond that would be suitable habitat for a moose if it wasn't for the highway on the other side. This bull moose looked to be a two pointer,

two points of antlers on each side. It also looked like it was being followed, by maybe a cougar?

Three years ago I was so fortunate to see a Fisher near Freja Park, now a moose! Possibly, my next sighting will earn me \$100 with a photo of a mountain lion or cougar.

Lets continue to work hard and preserve special places

like Freja Park and what remaining unfragmented forests we have left so that future generations can encounter the same incredible and diverse wildlife.

Here is my photo. Enjoy ~ Rod



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CEQ Legislative Recommendations for Other Environmental Issues

ALL-TERRAIN VEHICLES

Illegal use of ATVs damages trails, parks, nature preserves and other properties. Enforcement is difficult.

"ATVs are the largest problem facing the volunteer maintainers of Connecticut's hiking trails." -- The Connecticut Forest and Park Association, CEQ Forum

2012 Legislation Recommendations

Improve law enforcement agencies' ability to enforce existing laws by:

- 1) requiring registration and
- 2) including forfeiture of the vehicle as a potential penalty.

Proposed Legislation related to CEQ Recommendations

As we go to press, none proposed.

ILLEGAL TREE DESTRUCTION

A person who deliberately cuts trees on another person's property without permission will owe almost nothing in damages, if a civil action ever is brought.

2012 Legislation Recommendations

In civil court, allow victims of illegal tree cutting to recover costs of replanting and restoration. This would extend to all landowners the remedies made available to public landowners with great success under P.A. 06-89 (CGS Section 52-560a, encroachments on open space lands).

Proposed Legislation related to CEQ Recommendations

As we go to press, none proposed.

AIR POLLUTION FROM OUTDOOR WOOD

FURNACES

Much DEEP staff time is consumed by responding to complaints about outdoor wood furnaces (OWFs), which are subject to set-back requirements but no emission limits.

"The current requirements are not only insufficient to protect the public's health from OWF emissions but also challenge the resources of local public health departments, which must investigate every complaint." -- Alyssa Norwood, Connecticut Association of Directors of Health, CEQ Public Forum

2012 Legislation Recommendations

- 1) Enact a moratorium on out-door wood furnaces until DEEP adopts regulations that establish maximum emission levels.
- 2) Require DEEP to adopt regulations governing maximum emission levels from OWFs, both new and existing, by 2014.
- 3) Authorize DEEP to enforce the statute and regulations through administrative action.
- 4) Clarify ambiguous aspects of the statute, including the point of a residence from which distances are measured, and the obligation for all OWFs to burn clean wood only.
- 5) Clarify that local building officials and health officials regulate OWFs, and allow municipalities to collect the penalties.

Proposed Legislation related to CEQ Recommendations

Raised Bill No. 84: To prohibit the use of wood-burning furnaces between May first and September thirtieth. To review Bill 84, go to cga.ct.gov, type in 84 in box labeled Number at top and click on GO.



2011-2012 Membership

Is Your Commission Here?

Andover	CC		Goshen	IW		Portland	CC	(SUS)
Andover	IW		Granby	CC		Portland	IW	(SUS)
Ansonia	CC	(SUS)	Granby	IW		Preston	CC	
Ansonia	IW	(SUS)	Greenwich	CC	(SUS)	Preston	IW	
Ashford	CC		Greenwich	IW	(SUS)	Prospect	CC	(SUS)
Ashford	IW		Grisswold	CC+IW		Prospect	IW	(SUS)
Avon	IW		Groton	CC		Putnam	CC+IW	
Avon	CC		Groton	IW		Redding	CC+IW	(SUS)
Barkhamsted	CC		Groton City	CC+IW		Ridgefield	Z+IW	
Barkhamsted	IW		Guilford	CC		Ridgefield	CC	
Beacon Falls	CC		Guilford	IW		Roxbury	CC	
Beacon Falls	IW		Haddam	CC		Roxbury	IW	
Berlin	CC		Haddam	IW		Salem	CC+IW	(SUS)
Bethany	CC	(SUS)	Hamden	IW		Salisbury	CC+IW	(SUS)
Bethany	IW	(SUS)	Hamden	CC		Scotland	IW	
Bethel	IW		Hampton	CC		Seymour	CC	(SUS)
Bethlehem	CC		Hampton	IW		Sharon	CC	
Bethlehem	IW		Hartland	IW		Sharon	IW	(SUS)
Bolton	CC		Harwinton	IW		Shelton	CC	
Bolton	IW		Hebron	CC		Sherman	CC	
Bozrah	CC+IW		Kent	CC		Sherman	IW	
Branford	CC		Kent	IW		Simsbury	CC+IW	
Branford	IW		Killingworth	CC		South Windsor	CC+IW	
Bristol	CC+IW		Lebanon	CC		Southbury	IW	
Brookfield	CC		Lebanon	IW		Southington	CC+IW	(SUS)
Brookfield	IW		Ledyard	IW		Sprague	CC+IW	(SUS)
Brooklyn	CC		Lisbon	CC		Sterling	IW	
Brooklyn	IW		Litchfield	IW		Stonington	CC	(SUS)
Burlington	IW		Lyme	CC+IW		Stonington	IW	(SUS)
Canaan	CC+IW		Madison	IW		Suffield	CC	
Canterbury	IW		Manchester	CC		Thomaston	IW	
Cheshire	IW		Manchester	Z+IW		Thompson	CC	
Cheshire	CC		Mansfield	Z+IW	(SUS)	Thompson	IW	
Chester	IW		Meriden	IW		Tolland	CC	
Clinton	CC+IW	(SUS)	Middlebury	CC		Tolland	IW	
Colchester	CC		Middlefield	IW		Trumbull	IW	
Columbia	CC		Milford	CC		Vernon	CC	
Columbia	IW		Milford	IW		Vernon	IW	
Coventry	CC		Montville	IW		Wallingford	CC	
Coventry	IW		New Canaan	Z+IW		Wallingford	IW	
Cromwell	CC		New Canaan	CC		Warren	CC+IW	(SUS)
Cromwell	IW		New Fairfield	CC+IW	(SUS)	Washington	CC	
Darien	CC+IW	(SUS)	New Hartford	CC		Washington	IW	
Deep River	CC+IW		New Hartford	IW		Waterford	CC	(SUS)
Durham	CC		New London	CC+IW		Watertown	CC+IW	
Durham	IW		New Milford	CC		West Haven	IW	
East Haddam	CC		New Milford	IW		Westbrook	CC	(SUS)
East Haddam	IW		Norfolk	CC		Westbrook	IW	
East Hampton	CC		Norfolk	IW		Weston	CC+IW	
East Hampton	IW		North Branford	CC+IW		Westport	CC+IW	
East Hartford	CC+IW		North Haven	IW		Wethersfield	IW	
East Lyme	CC		North Stonington	CC		Willington	CC	
East Lyme	IW		Norwalk	IW	(SUS)	Willington	IW	
Eastford	CC		Old Lyme	IW		Wilton	CC	
Eastford	IW		Old Lyme	CC		Wilton	IW	
Easton	CC+IW		Old Saybrook	CC		Windsor	CC	
Ellington	CC		Old Saybrook	IW		Windsor	IW	
Ellington	IW		Oxford	CC	(SUS)	Windsor Locks	CC	
Enfield	CC		Oxford	IW	(SUS)	Woodbridge	CC	
Essex	CC		Plainfield	CC		Woodbridge	IW	
Essex	IW		Plainfield	IW		Woodbury	CC	
Fairfield	CC		Plainville	CC		Woodbury	IW	

Fairfield	IW	Plainville	IW	Woodstock	CC
Glastonbury	CC+IW (SUS)	Plymouth	CC+IW	Woodstock	IW
Goshen	CC	Pomfret	IW		

As of March 1, 2012, the above Town commissions have supported CACIWC through membership dues for the 2011-2012 fiscal year (July 1, 2011 – June 30, 2012). If your Commission is not on the list, please encourage your commission to join. For a membership dues form go to caciwc.org, click on About CACIWC, scroll to Membership and download form; or email todell@snet.net. If we are in error we apologize and would appreciate knowing. Member Commissions receive a copy of *The Habitat* for each commissioner if dues have been paid. Please consider joining as a sustaining member (SUS).

CC = Conservation Commission
IW = Inland Wetlands Commission

CC+IW = Combined Commission
Z+IW = Zoning/Inland Wetlands Commission

save the date!

CACIWC's 35th Annual Meeting & Environmental Conference is scheduled for Saturday, November 10, 2012.



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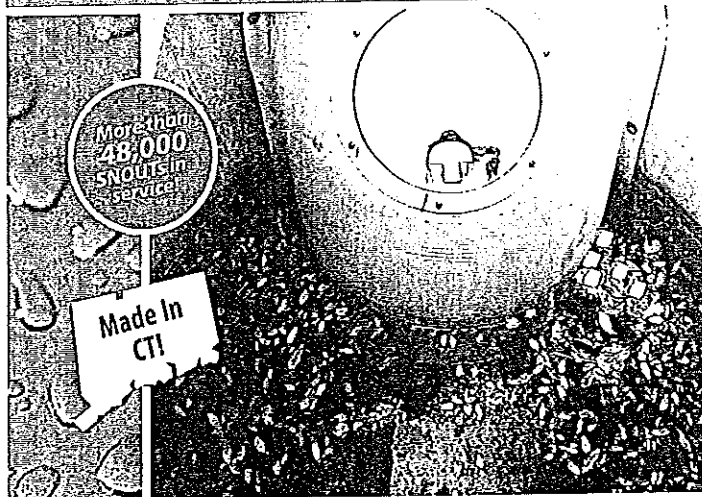
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DEEP made the first segment of the comprehensive training program available online, but there is a fee to complete the segment.

2012 Legislation Recommendations

Modify requirements and incentives for members and staff of municipal inland wetlands and watercourses agencies to complete training. Improvements should include

- a requirement for all new members to complete "Basic Training," a new class of training that would be created by the Department of Energy and Environmental Protection (DEEP) and would include an online training option,
- a requirement for locally-designated agents (usually town staff) to complete the annual training update to maintain their eligibility for enhanced authorities,
- more subsidies to allow more municipal officials to attend training or complete training online for free (for an additional state appropriation of \$12,000), and
- annual tracking and reporting by DEEP of municipalities' training status, including commissions' fulfillment of their current obligation to review training materials at a local meeting once each year. This can be achieved by modifying municipalities' current reports to DEEP.

Questions and comments are welcome at Council on Environmental Quality 79 Elm Street Hartford, CT 06106 860-424-4000, karl.wagener@ct.gov.

"The CACIWC [Connecticut Association of Conservation and Inland Wetlands Commissions] Board of Directors supports these recommendations." -- CACIWC, CEQ's November 16, 2011 Public Forum

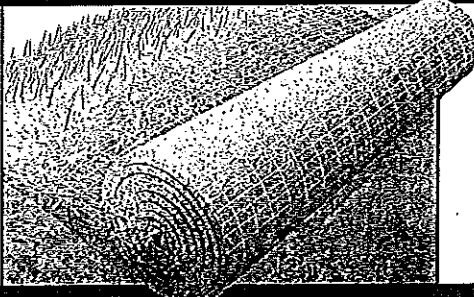
Proposed Legislation related to CEQ Recommendations

Raised Bill 349, An Act Concerning Training for Inland Wetlands Agency Members and Agents. To review and track the progress and changes to RB 349 in the legislature go to: <http://www.cga.ct.gov/2012/TOB/S/2012SB-00349-R00-SB.htm>.




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4. CACIWC has joined numerous other land use and environmental agencies throughout New England that are working on the **Connecticut River Watershed Blueway** proposal. This proposal, inspired by the America's Great Outdoors Initiative, is one of many efforts by the National Park Service to establish a series of blueways throughout the nation. In addition to preserving important watershed areas, these initiatives are designed to improve recreational access and appreciation of the outdoors and our important natural resources by all members of our society including our youth. CACIWC will be providing additional information on this initiative as we work closely with commissions throughout the Connecticut River Watershed.

5. The new members and officers of the Board of Directors are several months into their new two-year term following our 34th Annual Meeting. The board is reviewing suggested candidates for additional new board members from various names submitted at the annual meeting. However, many CACIWC board vacancies remain (please see the list in this issue of *The Habitat* and on www.caciwc.org). CACIWC bylaws specify that any past or present member of

Connecticut conservation or inland wetlands commissions or their agent are eligible serve. Would you be interested in filling one of these vacancies? Please submit your name to us for consideration at: board@caciwc.org.

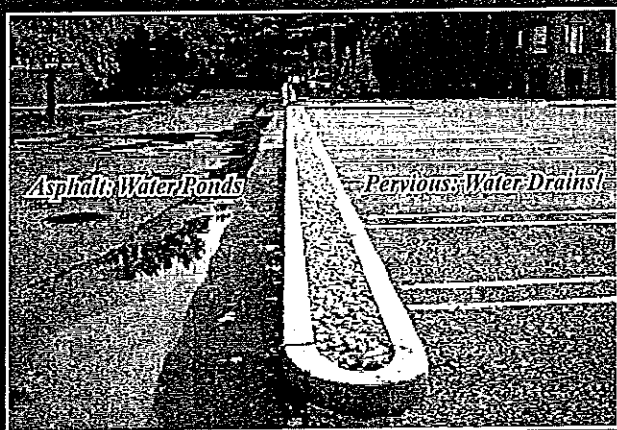
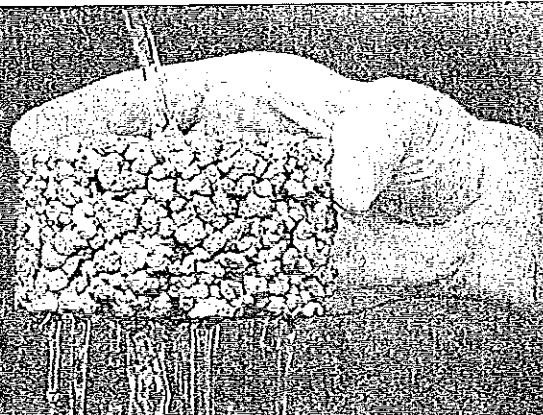
6. Would you like to work with CACIWC but are too busy to join the board at this time? We are forming several CACIWC advisory committees to help us with our education and outreach efforts, strategic plan and bylaws revisions, or participate in the review of legislative initiatives. Let us know by sending your name and interest area to us at: board@caciwc.org.

Thank you again for your ongoing support of CACIWC. Please do not hesitate to contact us via email at board@caciwc.org if you have any questions or comments on the above items or if you have other questions of your board of directors.

We thank you for your local wetlands protection and conservation efforts! ~ Alan J. Siniscalchi, President



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Old Saybrook, continued from page 5

around the dam at Crystal Lake, was completed in May of 2009.

An Open Space Map of the Town of Old Saybrook has been completed. At the present time, open space totals approximately 20% of the Town's land area. With the Open Space Subdivision regulations passed by the Zoning Commission that require all large developments to set aside at least 50% of their land area in open space, it would appear that it is only a matter of time before at least 25% of the land area of the Town is set aside as open space.

Looking forward, it is time to update the commission's Plan of Conservation & Open Space. With the present concerns for sustainability, climate change and energy independence in this country, the new plan needs to address what we can do locally to help with these national and world efforts. At the very least, the plan should include a strong energy conservation program and a program of public outreach and education to encourage a stronger culture for environmental issues and a better understanding of what actions are most important for the town's sustainability.

In order to address this need for public outreach, the Conservation Commission has launched a new website, SustainableSaybrook.org. This website will be the vehicle used to solicit Old Saybrook citizens' input into all the priorities for the future of the Town. It will address not only Environmental issues, but also issues of Economics and Social Equity, as these are all essential to the sustainability of our town.

The website will develop strategies and goals in each of these twelve areas: access & mobility, the economy, the environment, education, energy, food, identity & culture, health, waste management, housing & shelter, social equity, and water. The goals will be established collaboratively with the town's citizens, community-based organizations, local government agencies, and business groups. Among the partners so far are the Connecticut River Area Health District, the Main Street Merchants, the Old Saybrook Land Trust, the Old Saybrook Land Use Department, and the Old Saybrook Youth & Family Services. Other community partners are anticipated.

For each of the twelve major areas, there is first a brief "big picture" section describing the national and world

issue. Then the issue is translated into its local impact, and local goals for addressing the issue are proposed for comment. Following that opening page in each area, articles concerning the local issue are included.

Please visit www.SustainableSaybrook.org for a better look at this work in progress.

For more information contact Bob Fish at: rfish@town.old-saybrook.ct.us.



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Farmland ConneCTions: Exploring the Benefits of Leasing Land to Farmers in CT

While demand for locally grown farm and food products has skyrocketed over the past decade, farmers looking for productive farmland for new or expanding operations face a particular challenge in Connecticut: one of the country's highest farm real estate values. Many farmers are now pursuing legal lease agreements with municipalities and land trusts in order to secure farmland with suitable soils. For a municipality, institution or land trust, making land available for farming can have many benefits, including helping to connect with town residents, as well as reducing the costs of owning and maintaining arable land.

Interested in exploring the possibility of leasing land to a farmer? Contact Project Coordinator Jennifer McTiernan, at farmlandconnections@gmail.com.

Reprinted from WLA December 2011 Newsletter 

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DEEP Announces New Round of Open Space Grants Funding for Municipalities, Land Conservation Groups

Background on State Open Space Grants

This year the State Bond Commission allocated \$5 million to the DEEP for the Open Space and Watershed Land Acquisition Grant Program. Additional funds may become available under the state's Community Investment Act (CIA). See page 1 for grant round specifics.

The Open Space and Watershed Land Acquisition grant program has played a key part in helping the state move forward toward achieving its open space protection goal of protecting 21 percent of Connecticut's land – or 673,210 acres – by the year 2023. Connecticut's open space includes recreation and conservation land owned or protected by the state and land owned or protected by municipalities and others, often with state financial assistance. DEEP and our partners have protected over 15 percent of Connecticut's land as designated open space, comprising nearly 500,000 acres. Since the Open Space and Watershed Land Acquisition program began in 1998, DEEP has provided approximately \$102,000,000 in grants to assist with the purchase of approximately 26,000 acres of open space across the state in 120 of Connecticut's cities and towns.

Under the Community Investment Act, Public Act 05-228, a fee was established for the recording of all documents into municipal land records. The CIA was designed to protect and preserve the beauty and unique character of Connecticut for future generations by providing a new source of funding for open space, protection of farmland, preservation of historic sites and creation of additional affordable housing programs.